Political crimes in the transition to modernity: Anthropological perspectives

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Abstract

We live in a period heavily, and perhaps uniquely, characterised by a popular and political focus on crime. In taking up the invitation to contribute to this special issue, this article is intended as a reflection on the question: what can an anthropological contribution be to the question of political crimes? The reflection consists of three interrelated parts. In the first part, the author wishes to address what is meant when we use the words 'crime' and 'political'. In the second part, he discusses how the social sciences emerged in the late 19th century as a reflection on the nature of crime in the transition to modernity. The importance of some almost forgotten "classical traditions" is stressed. In the third part, he briefly indicates how the most celebrated political revolutions within the European tradition, including the French and the Russian Revolutions, are critically tied to the emergence of new forms of political crime originating in crowd behaviour. The framework elaborated throughout the article relies on contributions of classical anthropologists and sociologists, who, although known figures, have thus far remained peripheral within political anthropology: Ferdinand Tönnies, Gabriel Tarde, Marcel Mauss, Gregory Bateson, Victor Turner and René Girard.

KEYWORDS: political crime, transition to modernity, classical traditions, political revolutions, crowd behaviour

> *Do we not realise that all this is merely the prelude to the main theme*
> *which we have yet to learn?*
> *Plato, Republic, 531d.*

> *He [the revolutionary] is damned always to do that which is most*
> *repugnant to him: to become a slaughterer, to sacrifice lambs so that*
> *no more lambs may be slaughtered, o whip people with knouts so*
> *that they may learn not to let themselves by whipped, to strip himself of every*
> *scruple in the name of a higher scrupulousness, and to challenge the hatred of*
> *mankind because of his love for it – an abstract and geometric love.*
> *Arthur Koestler, Darkness at Noon*

> *I stuck around St. Petersburg when I saw it was a time for a change*
> *killed the czar and his ministers Anastasia screamed in vain, I rode a tank*
> *held a generals rank when the blitzkrieg raged and the bodies stank. Pleased*
> *to meet you, hope you guess my name, oh yeah. Ah, what's puzzling you is the*
> *nature of my game, oh yeah.*
> *Mick Jagger/Keith Richards, Sympathy for the Devil*

The meaning of the words we use

I would like to start with the most general of observations: The study of political crimes, even in its detailed empirical forms, must somehow be tied to a general reflection on what the *political* is, or should be. Here lies a true challenge, as almost all of the founding fathers of the social sciences clearly perceived. Mauss ended his classic book, *The Gift* (1990), with a concluding chapter that must be read as a foundational statement on the nature of our "common life". Mauss not only summed up his analysis of gift-giving practices, but in the very last sentence reminded the reader that this study of gift-giving practices should furthermore:

> [A]llow us to perceive, measure, and weigh up the various aesthetic, moral, religious, and economic motivations, the diverse material and demographic factors, the sum total of which are the basis of society and constitute our common life, the conscious direction of which is the supreme art, *Politics*, in the Socratic sense of the word (Mauss 1990).

In this Maussian spirit, let me therefore start this essay by returning to foundations, e.g. the meaning of the words we use. In a somewhat unfashionable vein, I would like to stress that I consider etymology itself a specific type of cultural analysis, and closely linked to anthropological methodology. While etymology played a minor role to founding fathers like Radcliffe-Brown and Malinowski, it had vital significance to a series of "maverick anthropologists" whose foundational insights were closely linked to etymological reflexivity; this was not only the case for Marcel Mauss, but also for two of the figures discussed below, Arnold van Gennep and Victor Turner. It was equally crucial to the "anthropological historian", Johan Huizinga, whose milestone work, *Homo Ludens*, approached the nature of *play* via a comparative etymological analysis, involving almost all European languages. Of course, it is not the case that the origin of words *directly* convey cultural meaning. In tracing the meaning of words, one should rather follow the

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framework proposed by the Italian linguist, Mario Alinei, whose work complements the historical-semantic approach of Reinhart Koselleck (Szakolczai 2011).

The point is that words are themselves "containers" of significant information, and dense with meaning. Both the words in question, *political* and *crime*, are Greek and therefore linked to the "Greek discovery of politics" (Christian Meier 1990). Moreover, understandings of the political *always* related, in an essential way, to understandings of crime. It is almost certain the word crime developed from *krinein* (to separate, decide, judge), from the PIE base **krei-* (to sieve, discriminate, distinguish). Hence, political judgment and decision making, and crime have a shared foundation that is surely both linguistic and experiential; in this regard one must note the equally close links to the concepts of *crisis* and *critique*.

At the level of foundations, the political and crime belong together: the political was made historically *possible* in connection with a rethinking of crime, justice and punishment, linked to the emergence of the citizen and the notion of collective good. This development can be contrasted to earlier notions of crime and punishment, prior to the political reforms of Solon, for example, or prior to the democratic revolution (Meier 1990). In fact, in ancient Greece, the worst possible crime one could commit was *hubris*; it was considered so because it was destructive of social bonds and human relationships at a truly fundamental level, a fatal transgression of communally defined limits of appropriate behaviour. While other crimes could be mediated and punished, in the case of hubris there was no hope: the transgressor had to be exiled. Interestingly enough, this "fatal" method of ostracising individuals whose sheer personal essence or "soul" has come to represent a threat to the survival of the collectivity has been documented in a series of tribal or small-scale societies; the problem is, of course, that others may imitate the diseased soul.

The term political represents a remarkable continuity; it cannot be reduced to or replaced by terms like state, institutions, law or rule. This is so because the notion of politics in an essential way combines the "institutional sphere" with the qualities of human beings, our values, our ways of dealing with truth, our respect for others, our search for justice; in short, our living together in a meaningful way in some kind of meaningful community (it was Mauss' great recognition that such meaningfulness could only be based on reciprocity). The most basic sense of this point is expressed by the Aristotelian term *zoon politikon*, often translated as man being a "social animal", but which does not do full justice to the original expression, as it ignores the political dimension (see Szakolczai 2009).

Although the ancient Greek understanding of politics remained a constant reference point in Western history, it also went through radical historical transformations that altered the point of departure. The most decisive transformations in Europe happened during early modernity and have been analysed by Koselleck (1998). To put it briefly, it was the ancient Greek anthropological underpinning of the political that was seriously undermined in the transition to modernity. This happened as politics slowly became a question of order, without any reference to meaning – a development that can safely be traced back to the contract theorists of the 17th century and further back to Machiavelli. It also seems clear that it was this anthropological aspect of the political that Weber was

trying to recover in his talk, *Politics as a Vocation*, linking institutional analysis with the qualities of the human being, going to the roots of our *menschentum*: what must a human being be, that he can act in politics? Not coincidentally, Weber inferred Pericles as a historical reference point.

The human being is, of course, both social and political, but the classical notion of the political as a meaningful, active directing or orienting of one's life toward certain values and goals within a community (as Mauss insisted) was seriously neglected in the liberal-Enlightenment mentality, but, alas, also in current social/political theorising; a neglect, or erosion, which was perceptively analysed by Koselleck (1998) as a central aspect of the "pathogenesis" of modernity.

I would therefore like to suggest that the question of political crimes needs to be understood in connection with social disorder or moral breakdowns, and also with a problematic tendency toward a mechanisation of the political, which even makes a "corruptive attitude" seem desirable and "human", or where "Machiavellian attitudes" can become justified by this or that rational goal of order-achievement. The ties between the individual and the larger community are underdetermined or even negatively defined (as in the Hobbesian tradition) as the point of departure for thinking the political; according to Hobbes, it was mutual fear that made modern politics possible. If this is so, it could indicate that the apparently global spread of political crime cannot simply be overcome by invoking mechanisms of legal or social justice, "more democracy", "more equality", "more transparency", "more control" or more "people power", recasting the slogans of our revolutionary traditions that more than often turned into totalitarian nightmares (in fact, the ideal of total transparency is exactly what defines terror regimes). Nor can one look for remedies against the proliferation of political crimes at the level of political ideologies of emancipation: it seems to be the case that while totalitarian, anti-democratic states (in all their variety) constantly produce political crimes of the worst kinds, in liberal democracies other forms of political crime spread and develop, corrupting and eroding politics from within. Our discussions of political crimes ultimately have to involve a consideration of the meaning of politics in modernity; this was clearly perceived by some of the most overlooked founding fathers of the social sciences, to which I now turn.

The question of crime and the foundations of the social sciences

To ask about the "nature" of political crimes today implies awareness of a two-fold contextualisation. First, we live in a period heavily, and perhaps uniquely, characterised by a popular focus on crime. Second, the study of crime belongs intimately to the very birth of the social sciences. Therefore, to approach the question of crime from an anthropological perspective also involves, by necessity, a revisiting of disciplinary traditions.

The social sciences (anthropology and sociology alike) grew out of legal studies and philosophy. The majority of early anthropologists in the late 19th and early 20th centuries held law degrees and entered speculation about "origins" and evolution from a legal perspective. This includes figures like MacLennan, Bachhofen, Morgan, Maine,

and a multitude of others. The same can, of course, be argued about early sociologists, including founding fathers such as Tönnies, Weber and Tarde. The main empirical field of 19th century social science was, in fact, law and crime. In anthropology, this focus on crime and law held sway up until Malinowski's *Crime and Custom in Savage Society* (1922). From the 1920s onward, however, the question of crime somewhat shifted to the background, whereas crime and deviance remained core themes in sociology. Of course, anthropologists never stopped considering crime to be a crucial aspect of society. Culture-specific conflict negotiation and law was a main focus within the subfield of political anthropology that developed from the 1940s onward (see Thomassen 2009). At the same time, crime (understood as a unified subfield of study) was *not* among the most dominant themes of 20th century anthropology. In the current situation, this may be considered a serious shortcoming and for a remarkably straightforward reason: in almost every corner of the world today, crime is very much what people talk about. Crime serves to define people's anxieties and identities, their fears and hopes. Crime is also an ever more dominant theme in popular literature, in crime novels and in television series, and globally so. Crime is, quite simply, an increasingly central aspect of the world in which we live. It is in this general context that questions of *security* have imploded in the social body, and now dominate both domestic and international political debates, as perceptively captured by Michel Foucault in his 1977-78 College de France lectures on *Security, Population and Territory*. Within this wider context, how can anthropology contribute to the study of crime? Moreover, what could be its particular contribution to political crimes?

We do well not to forget the debates over crime that characterised the early social sciences from the late 19th century. The underlying questions asked and the problems posed are arguably not *that* different from the issues we struggle with today. The question, 'Who is a criminal?,' was central for positive criminology. It was *the* central question for Lombroso and his Italian school of criminal anthropology, whose worst errors Gabriel Tarde was quick to point out. During the 19th century, the growing disciplines of criminology and penology came to see crime as a unified phenomenon, emerging with new vigour in the growing urban societies. Criminologists working in Europe and America noted, for example, how crime was a bigger problem in marginal areas. In line with the Chicago model of the city, this spatial marginality was often situated around the central districts of the "industrial city"; today this marginality tends rather to be found in the outskirts of the city, although marginality is often reproduced around the central nodes of transportation, e.g. train and bus stations. Therefore, the question of 'Who is a criminal?' was also tied to *where* is the crime?;' and from the very beginning, the underlying aim was policy-oriented: how could crime be prevented, and how should it be punished?

The development of a scientific *method* for the social sciences took place with reference to the systematic and comparative study of crime. There are obvious reasons for this intimate connection. The social sciences emerged in the in-between areas of law, history and philosophy. The claim to a scientific status of the social sciences hinged on the claim to have moved beyond "speculative" approaches to the study of society (philosophy) or purely formal, deductive law-like procedures (as in the legal tradition). Much of the

quantitative data that early social scientists had at their disposal to demonstrate their novel scientific procedure came from state departments working with demography, and hence also with crime. By the late 19ᵗʰ century, most European states had been gathering crime and suicide rates for some decades, and within different regions and cities. This allowed for longitudinal and synchronic comparison. To be sure, crime statistics were not the only kind of data readily available to early social science. However, compared to other census data on for example age, gender, language, household composition, which in the same period was being standardised across Europe (see Thomassen 2006), crime data spoke more directly to an aspect of human *behaviour*, and hence offered data on a clearly social phenomenon for which an explanation could be sought. This was, to name one emblematic example, the case for Durkheim's study of suicide (1951), which is normally seen as the first successful application of a social scientific method to a clearly delimited empirical field. The statistical data was given to him (via Marcel Mauss) by Gabriel Tarde, who was then Chief Statistician at the Department of Justice in Paris (for a critique of Durkheim's approach, see Thomassen 2012b).

The reasons for the connections between crime and the emergence of the social sciences go even deeper. The "who" and "where" of the crime became tied to a series of further questions, such as '*Why* does crime take place?,' 'What *types* of crime take place in what kind of settings?,' and hence to larger questions pertaining to social existence in the context of urbanisation and what we today would call "modernisation". The investigation of crime quickly turned into a study of the emerging "modern" world, and the urban "mass society". It is therefore no coincidence that the main diagnostic terms developed towards a capturing of modernity, grew out, directly or indirectly, from empirical studies of crime. Crime was a social fact to be reckoned with, but crime was itself undergoing a transformation or a new type of problematisation that, as Foucault would argue much later (1979), pointed towards broader social configurations. Something was happening to crime in the passage to 20ᵗʰ century modernity, and it clearly connected to the emergence of new community forms – or perhaps the loss of such community forms. Early social science was therefore both an attempt to understand and to regulate crime; but this attempt was intimately tied to an understanding of modernity. Our "return" to crime in the current context must, in one way or another, keep us reflexively rooted in this question.

Ferdinand Tönnies: forms of crime in Gesellschaft and Gemeinschaft

A main figure in the historical debate remains Ferdinand Tönnies (1855-1936). Tönnies is mostly known for having invoked the distinction between *Gesellschaft* and *Gemeinschaft*. Tönnies made this distinction in his 1887 book of the same title. Today, we mostly mention Tönnies in order to dismantle what is routinely considered an oversimplified dichotomy. The problem is that Tönnies is rarely read today, so we do not actually know what it is we criticise. In 1909, Tönnies became the first President of the German Society for Sociology, which he founded together with, among others, Simmel and Weber, a position he held until 1933 when he was ousted by the Nazis. He is perhaps the most published German

social scientist ever, with almost 900 works listed. Evidently, crime was a central theme in his entire oeuvre. According to the excellent and extremely helpful reconstruction of Tönnies' work on crime by Mathieu Deflem (which I follow here), Tönnies published 34 works on crime (22 papers, 3 books and 9 review articles), in addition to 17 related methodological papers on criminal statistics (Deflem 1999: 88).

Tönnies tackled the question of crime prevention and punishment throughout his life. He did it perhaps most directly in his 1891 article, *Prevention of Crime*, published in the International Journal of Ethics. Here, he anticipated what would later become more widely accepted, but which was then a quite unusual thing to claim: namely, that imprisonment would have no positive reformative effects on the imprisoned; quite the contrary. However, to assess the importance of Tönnies, one must return to his most prominent work, *Gemeinschaft und Gesellschaft*.

This was not just any book: its aim was to establish the epistemological and methodological principles of the discipline of sociology. Tönnies invoked the distinction between Gemeinschaft and Gesellschaft as a heuristic device, or as ideal types (the German word most often used by Tönnies was *normaltypen*). Even in today's networking society with computers and satellites, and as any person who has lived in both a small village and a large city can attest, there are indeed substantial differences in forms and styles of community formation relating to scale and size of the setting. The two types are differentiated partly by their mode of communication, i.e. traditional handed-down beliefs versus public opinion that is, at least on the surface, more "rationally" and scientifically based and grows out of reflection and discussion via an emerging public sphere that comes to supplement (if not replace) interpersonal relations. Tönnies never said that one form would replace the other in a positive evolution toward a modern, rational world. Likewise, Tönnies was *very* far from simply celebrating this emerging "public" and more "abstract" and "rational" society (see here Tönnies 2003). Such a naïve attitude toward the rationality of the public sphere should rather be ascribed to Habermasian approaches, certainly not to Tönnies.

Although *Gemeinschaft und Gesellschaft* was not primarily about crime, its main conclusions had decidedly direct implications for understanding both crime and punishment. Tönnies understood that to capture the transformation of crime in the context of modernisation, one had to approach the nature of collective behaviour. Indeed, Tönnies' book was precisely an empirical analysis of collective identity and behaviour. It was a book about what kind of cultural community forms could emerge in modernity, as indicated by the original subtitle, *Gemeinschaft und Gesellschaft. Abhandlung des Communismus und des Socialismus als empirischer Culturformen.*

Something quite essential happens to crime and law when moving in between the two worlds of Gemeinschaft and Gesellschaft. The equilibrium in Gemeinschaft is achieved through various forms for social control, including morals, conformism, and exclusion. Gesellschaft keeps its (always precarious) equilibrium through police, laws, tribunals and prisons. Rules in Gemeinschaft are implicit, while Gesellschaft has explicit rules (written laws). As Tönnies writes in his conclusion:

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> We have on offer two contrasting systems of collective *social order*. One
> is based essentially on concord, on the fundamental harmony of wills, and
> is developed and cultivated by religion and custom. The other is based on
> convention, on a convergence or pooling of rational desires; it is guaranteed
> and protected by political legislation, while its policies and their ratification
> are derived from public opinion.

Tönnies called these two forms for law "customary" and "statutory". Following
a much more rigorous and empirically sustained analysis than that of Durkheim, Tönnies
(I stress it again) did not see these two forms as opposites or exclusive; but he did argue
that there had been a gradual evolution from common to contract law. Moreover, in line
with Weber, Tönnies argued that law had almost entirely been monopolised by the state.

Tönnies further distinguished between crimes and "infractions" as two
types of punishable acts. Crimes are deliberate violations of social and political rules,
involving infringements on the constitution. This is a meaningful distinction also in the
contemporary context. In several of his later his empirical studies, Tönnies would show
that certain crimes would proliferate in urban settings while others were more typical of
a "small-scale" Gesellschaft settings. Rogues formed the larger part of all criminal types,
and urban natives were more likely to belong to this category. The more a crime reflected
a conscious *will*, the more likely it was to be attributed to urban criminals, while rural
natives were more likely to commit crimes deriving from a passion which did not serve
a specific material purpose (Deflem 1999: 95). In other words, Tönnies saw that while
certain crimes diminish in a modern setting, other types – the willed crime, consciously
inflicting harm upon other subjects in order to achieve a personal gain – would increase
in volume.

In his later works, Tönnies returned to the question concerning the new
type of collectivity that characterised the early 20th century (see for example Tönnies
2003[1922]). He wrote of "the dispersed audience" and "the large public" consisting of
"spiritually [rather than spatially] connected" individuals. Tönnies focused in particular
on the potential of the modern press system to eviscerate national borders. Indeed, to
some extent, Tönnies' work certainly has to be understood as a study of media. This is
important, as today everything we think and feel about crime is so evidently produced
by the media. Most human beings have little or any *direct* contact with criminal acts, yet
the discourse of crime is everywhere. Competing claims and slogans to combat crime
can often determine political elections. Tönnies perceptively emphasised the factors that
affected audience reception of a message. He identified an embryonic concept of "opinion
leaders" and he also noted the strong impact the "personality" of the message deliverer
could have. His analysis of propaganda stressing slogans, the sharpening of contrasts
and the importance of repetition in many ways anticipated concerns regarding the most
horrendous political crimes that came to characterise the 20th century.

Tönnies also wrote of the bursting of "opinion bubbles", and noted how 'public
opinion lacks a specific space and time. It spreads like a fog…' (Tönnies 2001: 247). He
wrote of the stream of anti-Semitic propaganda which 'leaves its banks at times of public

election', and critically observed that 'the press is free, but not its journalists.' A century before Murdoch, he referred to journalists as "prostitutes of the intellect." Tönnies' gave depth and attention to these questions in his mature work and timely contribution on the "spirit of the modern age", which appeared in 1935; a fuller discussion of this work is however outside the scope of this article. However, his analysis bears strong resemblances with the work of another criminologist-cum-sociologist: Gabriel Tarde.

The Durkheim/Tarde debate in France

In France, the reception of the book by Tönnies led to yet another confrontation – even if at a distance – between Gabriel Tarde and Emile Durkheim. I invoke this debate for reasons that go well beyond intellectual history. First, Gabriel Tarde's work must be considered a "missing classic" within a larger tradition of political anthropology (Szakolczai & Thomassen 2011). Moreover, the positions taken by Durkheim and Tarde provide two indeed decidedly different starting points for understanding modernity and the role of crime. Moreover, to put it quite plainly, Tarde's position is endlessly more fruitful, and brings us to the core of the problem relating to crime in mass societies. Inversely, and to put it even more bluntly: Durkheim's position was not only problematic in a general sense; it also positively blocked him from understanding the problematic nature of collective behaviour. Since Durkheim is still today the most referenced authority on the social study of crime and "deviance", this needs to be further explicated.

Durkheim's own thesis, published in 1892, proposed a distinction between organic and mechanical solidarity; and much like Tönnies, Durkheim indeed exemplified this division by considering two diverging types of punishment. Durkheim had already reviewed Tönnies' work in 1889, and quite critically so (Durkheim 1889). At the same time, Durkheim's ideas and concepts could be argued to rely quite heavily on the work of Tönnies. The debate over Tönnies' work was taken up again in 1895, where Tönnies' thesis was discussed by both Durkheim and Tarde in the same issue of *Revue Philosophique* (in which Durkheim had also published his 1889 review). The book by Tönnies clearly held central importance to both thinkers: next to the empirical analysis (including a certain involvement with crime), the larger aim of the book was to lay out the foundations of sociology as a science; its methodology relied upon statistical analysis and its interpretation; the entire argument had to do with a general grasp of social life, and the transformation of power and social relationships within a larger process of mass urbanisation.

The Tarde/Durkheim commentary mostly centred on the relationship between the human "will" and society, the individual and the social. Durkheim stated his position in a short article, *Crime and Social Health*, while Tarde made his positions clear with an almost identical title, *Criminality and Social Health*. For Durkheim, "social facts" were both independent from and exert influence upon the individual consciousness, not the other way round; for Tarde, things were somewhat more complex, and he failed to see how sociological concepts could exist in total isolation from psychological factors.

Considering that social science textbooks still today position Tönnies' concepts

of gemeinschaft and gesellschaft as being similar to Durkheim's notions of mechanical and organic solidarity, it is worthwhile invoking Tönnies' own reaction to the Tarde/Durkheim dispute. Tönnies concurred with Durkheim that social facts (a term that Tönnies considered identical to his own concept of "social wills") are somehow independent from, and have a certain force over, individual consciousness. In contrast, Tönnies said, Tarde 'is absolutely right when he calls sociological concepts, which are released from all psychological foundation, frivolous and fantastic. In Durkheim, indeed, the psychological foundation is entirely missing' (Tönnies quoted in Deflem 1999: 103). Therefore, Tönnies situated himself between the extremes of "sociologism" and "psychologism", but in fact he came remarkably close to Tarde's position. Tönnies argued that the *force* of social life over individuals, so stressed by Durkheim, is only an extreme case and not at all the general rule: 'the general is the reciprocity (*Wechselwirkung*) between, on one hand, the individuals, and, on the other hand, a social will which is looked upon by them, conceived as substantially, and, therefore precisely, *created*' (ibid.).

Tönnies' position on the relationship between human will and social formations is almost identical to Tarde's focus on interdependencies and reciprocity: and rather than positing the social as a given, they both agreed that what we need to explain is exactly the *formation* of the social will. Tönnies' position, however, is simply not compatible with that of Durkheim. In fact, in his own review of Durkheim's *Rules of the Sociological Method*, Tönnies, not without an ironic twist, noted how Durkheim had proposed a binary distinction with an evolutionist view lurking behind it, when this was exactly what he had criticised Tönnies for doing; he also expressed his surprise that Durkheim's perspective led to the 'curious result, that criminality would be a normal phenomenon of social life' (Tönnies quoted in Deflem 1999: 103).

This very general point has important bearings upon how we see and approach political crimes in a modern setting. Summarising what has been argued thus far, any such understanding must be surely rooted in a deeper understanding of the relationship between individual and community and the role of crowds and publics in modernity. In the following, allow me to further elaborate this point, engaging with the contributions of Gabriel Tarde in greater detail.

Gabriel Tarde and the rise of the public and "collective crime"

> *'The true advent of journalism, hence that of the public, dates from the Revolution, which was one of the growing pains of the public…'*
> *(Tarde 1969: 280).*

Tarde's position, in contrast to Durkheim, cannot be easily summarised. Gabriel Tarde was born in Sarlat, the Dordogne, France in 1843, where he grew up to become a lawyer and *juge d'instruction*. Early on in his career, he observed that particular crimes appeared to spread in "waves" through society as if they were fashions. Therefore, Tarde's early

interests had to do with crime in a comparative perspective. It was this interest that led him toward the social sciences. Tarde sensed that the epidemiological aspect of criminal activity might be just one instance of a more general feature of the social world. From this observation, and through the publication of a series of articles and books, and in particular his main work, *The Laws of Imitation* (first published 1890), he developed this idea and outlined a general research program for sociology, one that would differ in fundamental ways from that of Durkheim.

Tarde is arguably one of the most overlooked figures in anthropological/ sociological theory; as an opponent to Durkheim, he was side-lined and almost forgotten within the social sciences after his death in 1904 (see again Szakolczai & Thomassen 2011; Thomassen 2012b). This is particularly unfortunate, as Tarde's reflection on the crowd and the public should stand as central readings in any effort to understand "crowd violence" and political crimes committed by collectivities, within or beyond state legislation.

Tarde started out as a comparative criminologist before he became a sociologist, or rather, a "micro-sociologist" within what one can certainly identify as an anthropological tradition. Tarde's work was placed in the intersection between comparative criminology, sociology and psychology. Several article titles of Tarde can be mentioned here: *Les crimes des foules* (*The Crimes of Crowds*, 1892), *Foules et sectes au point de vue criminel* (*Crowds and Sects in Criminal Terms*, 1893). Most importantly, however, Tarde had highlighted the role of imitation in his *Laws of Imitation* (1903).

In Tarde's early publications, he took issue with racial and geographic theories as for example argued by Lombroso and the Italian school. Tarde instead emphasised the preponderance of social factors behind crime (Tarde 1969: 2–5). Furthermore, for Tarde, social factors meant to a high degree *socialisation* and *imitation*. Crime in general and crowd violence in particular can only be fully captured once related to imitation and the role played by imitative behaviour. Tarde argued that the tendency towards imitation is the single most fundamental drive behind the creation and development of social institutions; it is, alas, equally crucial for the study of political crime.

The starting point is that crime is highly mimetic, evidenced by such widely used terms as "crime waves" (first used in 1893) and "crime cultures". Tarde identified three laws of imitation, including (1) the law of close contact, (2) the law of imitation of superiors by inferiors, and (3) the law of insertion. Each of the three types goes some way toward describing how/why people engage in crime. First, individuals in close intimate contact with one another imitate each other's behaviour. Simply put, people have a greater tendency to imitate those with whom they have the most contact. This, however (and in contrast to Durkheim's superficial critique of Tarde) is no mere "aping". People imitate each other best in the most intimate aspects of their behaviour, which are closest to expressing the states of the soul, like their gestures and manners, or in the pronunciation and tones of their voices (Tarde 1903: 204). The consumption of luxuries is more imitative than the satisfaction of basic needs, and passions are more imitative than simple appetites: drinking is more imitative than eating, while sexual behaviour is the most imitative of all

(ibid.: 194-7). Imitation, contrary to what might be expected, proceeds from the inner to the outer, starting from the "soul" (ibid.: 199).

Tarde's second law of imitation spreads from the top down: youngsters imitate older children, the poor try to imitate the rich, students imitate teachers, children their parents. Many types of crime are efforts of imitation in this sense. Tarde's third law is the law of insertion: new acts and behaviours are superimposed on old ones and subsequently either reinforce or discourage previous customs. On a related point, Tarde distinguished between two types of imitation, directed towards either *fashion* or *custom*. This distinction belongs to his analysis of the third "extra-logical" influences of imitation, the rhythm between periods when imitation mostly looks towards the past for models, and the ages of custom, and when such models are searched in the present, or the ages of fashion (Tarde 1903: 244 ff). Our modern age, as shown with etymological precision (the French word for fashion is *mode*), certainly belongs to the latter type; and the eventual victory of this modernity constantly breaking with the past seems to be secured by the very logic of rising mutual imitation. Even further, Tarde also argued that in our age, as a consequence of homogenisation, even the natural direction of imitation seems to be reversed: the central modality of imitation not only shifts from time to space, but here it is the *foreign* that gains a model status, instead of the close, the old, the tried, tested and familiar (ibid.: 247).

Imitation in the "publics" and the question of leadership

[I]nfectious epidemics spread with air or wind; epidemics of crime
follow the telegraph
G. Tarde, (Tarde 2001: 340-1)

Tarde considered imitation the foundation of sociality. Far from disappearing in modern, urban societies, based on rational and autonomous individuals, it rather transforms itself with the new circumstances. In his later works, Tarde would further explore the role of imitation with respect to crowds and the emerging "public realm". He did so, for example, in his influential article *The Public and the Crowd*, in which Tarde showed appreciation for Le Bon's work, but with a difference: 'I cannot then agree with that solid writer, Dr. Le Bon, that ours is "the age of the crowd". It is the age of the public, or the publics–and that is quite different' (Tarde 1969: 281).

The distinction is crucial, and stands quite close to the ideas of Tönnies. Whereas in "crowd behaviour", imitation and contagion would happen via direct contact; the emerging "public" has different characteristics that Tarde tried to pin down. In contrast to the crowd, the public is something more intangible, a 'dispersion of individuals who are physically separated and whose cohesion is merely mental' (ibid.: 277). Imitation and contagion are still at play, but at constantly increasing distances. Tarde fully understood the ambivalence of modern city life: increasing interaction, interdependence and the spatial concentration of people went hand-in-hand with distance.

Tarde linked these observations to the role of printing (a mimetic technique *par excellence*, as Benjamin saw so well), in particular newspapers. The newspaper becomes

a focal point for "currents of opinion", but these currents do not originate in physical encounters but in an imagined or "dreamed" togetherness. The power of the newspaper lies in its novel type of bonding people: 'this bond lies in their simultaneous conviction or passion and in their awareness of sharing at the same time an idea or a wish with a great number of other men' (1969: 278). It has gone largely unnoticed that Tarde here fully anticipated Benedict Anderson's analysis (1991) of reading audiences and the role of the newspapers in the formation of "imagined communities".

Tarde recognised new forms of association as becoming still more impersonal, producing a 'transportation of thought across distance' (ibid.: 279). Whereas one can be a member of only one crowd at a time, this is not so for the public. In fact, said Tarde, there is not one public but many public*s*. This means that mimetic processes can become limitless and therefore almost explosive. The public, says Tarde from the outset of the argument, 'never ceases to grow' and its 'indefinite extension is one of the most clearly marked traits of our period' (ibid.: 277).

Who is the "director" of publics? A main instigator of the public is the journalist (as discussed by Salmon (2009) Tarde was very much reflecting on the Dreyfuss affair as he formulated these ideas). These observations, taken on their own, render clear the importance of Tarde for theorising the public sphere. Tarde would indeed talk about journalists and their capability to create objects of hate and agitate the public in uncontrollable ways; far from the "free press" being a prerequisite for modern democracy, it actually poses a problem: 'The danger for new democracies is the increasing difficulty for men of thought to avoid the obsession of the seductive agitation' (ibid.: 293). The role of the intellectual, said Tarde, is to *resist* 'the destructive and leveling effects of democracy' (ibid.: 294). Tarde traced back the emergence of the press to the 16th century, but noted how it had acquired a new and innovative importance during the events of the French Revolution – without, however, engaging with a fuller analysis.

Finally, in his psychology of crowds and publics Tarde noted that '[p]olitical crowds, mostly urban, are the most impassioned and the most furious; fortunately they are versatile, passing from execration to adoration, from excessive anger to excessive joy with extreme facility' (1969: 289). Let me end this article by suggesting that Tarde here had put together elements of an analytical framework that serves to understand the emergence and proliferation of one particularly problematic category of political crime, namely that kind of escalating crime that takes place within the context of modern, political revolutions.

'And never heads enough': Violence and the mimetic spiral in revolutions

Domestic carnage, now filled the whole year With feast-days, old men
from the chimney-nook, The maiden from the bosom of her love,
The mother from the cradle of her babe, The warrior from the field – all
perished, all – Friends, enemies, of all parties, ages, ranks,
Head after head, and never heads enough For those that bade them fall.

William Wordsworth, '...and never heads enough...'

Tarde's analysis of imitation and contagion in the modern public sphere can be complemented by the theoretical framework developed by René Girard, and his concept of "mimetic spiral". Girard has analysed mimesis and the relationship between mimesis on the one hand and violence, victimage and truth of the sacred on the other (1976). Girard focused on desire, of acquisitive mimesis (where 'two mimetic rivals attempt to wrest from one another an object because they designate it desirable to one another') and analysed what he called mimetic "contagion" or what he also termed the mimetic spiral – which is one of violence. In his latest work, Girard elaborates these ideas in the context of Clausewitz' writings on war and warfare. Girard's conclusion is that we have entered an age of limitless imitation, an age of accelerating extremities – accompanied by a general process of undifferentiation (Girard 2011). Girard's analysis here shows strong affinities with with Gregory Bateson's discussion of schismogenesis and schismogenetic processess (Bateson 1958).

The point I briefly want to invoke here (for further detail, see Thomassen 2012a) is quite simply that revolutions, defined as sudden ruptured in the institutional make-up of society, can be considered archetypical examples of what Victor Turner saw as "social drama". Turner himself came to recognise that his analysis of performance and liminality bore strong resemblances with human behaviour in the context of political revolutions. However, Turner very problematically paid little attention to the utterly negative and dangerous aspects of liminal behaviour. The second point is therefore that political revolutions are inherently prone to political violence. The most celebrated political revolutions within the European tradition, including the French and the Russian Revolutions, are critically tied to the emergence of new forms of political crime originating in crowd behaviour.

As is well-known, the concept and practice of state "terror" has its origin in the French Revolution and its aftermath. Some of the most horrendous crimes committed during and after the revolution were imitated and took on new proportions with the "red terror" of the Bolsheviks. Such crimes were ignited as acts of group violence outside the legal framework of the state, in what I argue can be understood as "liminal moments" (Thomassen 2009; 2012a), but were then continued within the framework of the new, centralised state, before propelling outwards toward external aggression and warfare. It does seem the case that we still have to come to terms with what might be identified as an *inherently* problematic nature of modern politics, and its reliance on what one might claim to be a "revolutionary epistemology", shared by both Liberal and Socialist regimes.

Girard's analysis, together with Mauss' perceptive account of the Bolsheviks (see Thomassen 2012a), helps us to realise the importance of Turner's insights concerning ritual process; however, they also help us to realise the problematic nature of such process. This public liminality is also what Turner calls "public subjunctivity": 'For a while, anything goes: taboos are lifted, fantasies are enacted, indicative mood behaviour is reversed, the low are exalted and the mighty abased.' However, in contrast to "classical" ritual passages, revolutionary settings are characterised by an absence of ceremony leaders or elders who have been through the passage before; hence, they are marked by a crisis in leadership and a total loss of trust in existing institutions or persons. This creates a setting that allows for imitative behaviour to spread like wildfire, an unleashing of social forces that can easily spiral

out of control. It is no coincidence that the three most imitative types of human behaviour are exactly the ones that tend to roll like an avalanche in revolutionary moments, and often in some tragic form of combination: violence, sexuality and laughter. I hasten to add that the laughter in question is of course not the angelical one we can enjoy on a child's face, transmitting us a primordial, sheer joy of existence; what spreads is something quite different: the demonic, mobbing laughter which is ritually aimed at denigrating or ridiculing others, in public, and very often as a part of mob violence toward designated victims (Baudelaire' reflections on the essence of laughter went far toward capturing these dimensions). Turner himself arguably downplayed these destructive, mimetic forces; after all, he liked to think of liminality as a refreshing cultural force. This might be so, but revolutionary dynamics can easily create a downward spiral toward the murderous grotesque.

The question is then who and what one imitates in a moment where stabile reference points are absent. Revolutionary leaders have often been "outsiders" or marginal figures, often travelling from place to place waiting for their moment to play their game. Far from being charismatic and therefore "gifted", they were rather genuine human failures and outcasts who in highly liminal moments *somehow* captured power. Crowd leaders, wrote Le Bon in 1895, 'are especially recruited from the ranks of those morbidly nervous, excitable, half-deranged persons who are bordering on madness.' I don't think political scientists have really been able to capture this process, and there are very serious reasons why we need to rethink our established notions of political dictators from Robespierre to Mussolini as being "charismatic" (Horvath 1998; 2013).

Revolutionary leaders in history resemble trickster figures. Tricksters are trained in upsetting the social order by reversing values and via their rhetorical and theatrical skills. As noted by Weber, in moments of radical social or political change, in "out-of-the-ordinary moments", we see the emergence of charismatic leadership – but what Weber failed to notice is that in such moment, when, as Shakespeare put it, "degree is shaken", we also see the emergence of a whole series of other sinister figures.

In other words, revolutions represent perfect scenes for different sorts of self-proclaimed ceremony masters who claim to "have seen the future", but who in reality establish their own position by perpetuating liminality and by emptying the liminal moment from real creativity, turning it into a scene of mimetic rivalry (see again Szakolczai 2000: 218). This is exactly what Girard argued in *Violence and the Sacred* (1976). According to Girard, once a process of undifferentiation unfolds, the process of doubling threatens to spread, and can only be brought to a halt via sacrifice. In the final years of his life, Victor Turner came to recognise the importance of Girard (see for example Turner 1988: 34), and in the precise context of the ritual structure: crisis is contagious, like a plague, and sometimes the 'redressive machinery… fails to function' (ibid.: 35), leading to 'a reversion to crisis.'

Modern revolutions, far from simply providing freedom and rights, actually most often lead to *more* state centralisation, and very often to more violence. The mob violence that unravels in the revolutionary turmoil continues within the new power mechanisms of the centralised state – in fact, modern state institutions develop *with* violence. And finally, in terms of effective history, this almost systematic outbreak of internal violence will often take an outward dimension, propelling the revolutionary movement and the singling out of

enemies into external warfare. The Bolsheviks, after all, did have a model to imitate. As Kropotkin wrote in 1909, 'What we learn from the study of the Great [French] Revolution is that it was the source of all the present communist, anarchist and socialist conceptions.'

Conclusion

This paper has attempted, via the works of Tönnies and Tarde, and aided by maverick anthropologists, such as Victor Turner and Gregory Bateson, to reflect upon crime in a general way, and upon the outbreak of violence as a political crime in the more specific setting of political revolutions. A general understanding of political crimes must insert itself within a larger understanding of the transition to modernity. This was clearly understood by some of the "founding fathers" of the social sciences, including Gabriel Tarde and Ferdinand Tönnies, whose works remain valuable resources in the contemporary context. I think such a reflection is useful for a general, anthropological understanding of two broad types of "political crime": crimes committed by modern states against their own citizens (especially by totalitarian regimes but not only) and crimes committed by individuals and crowds in revolutionary moments, in ritual liminality.

The 20th century was marred by political crimes on a scale unprecedented in human history, involving the systematic mass-elimination of "undesired" human beings. As understood by thinkers such as Eric Voegelin and Hannah Arendt, and as also analysed by Zygmunt Bauman, this escalation of violence must be placed within the unfolding of political modernity, rather than being explained away as irrational hick-ups of the pre-modern. From the French Revolution onwards, modern revolutions, far from simply providing freedom and rights, actually most often lead to *more* state centralisation, and very often to more violence. As always stressed by Eisenstadt, the "Jacobin" elements of the French revolution is an inherent part of modernity, and belongs to the core of our revolutionary tradition, hence cannot simply be cast aside as an unhappy side-consequence of otherwise healthy principles. It is also on this particular question that the anthropological traditions of ritual and violence can throw new light on political crimes in the transition to modernity.

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Povzetek

Živimo v obdobju, za katerega je močno in morda edinstveno značilno popularno in politično osredotočanje na zločin. Ko sprejema povabilo k tej posebni številki, je namen tega članka podati refleksijo vprašanja: Kakšen je lahko antropološki prispevek k vprašanju političnih zločinov? Refleksija je sestavljena iz treh medsebojno povezanih delov. V prvem delu se avtor želi ukvarjati s pomenom besed, ki jih uporabljamo, ko govorimo o "zločinu" in "političnem". V drugem delu razpravlja o tem, kako so se družbene vede pojavile v poznem 19. stoletju kot refleksija o naravi zločina v prehodu v moderno. Poudarjena je pomembnost neke skoraj pozabljene "klasične tradicije". V tretjem delu avtor na kratko nakaže, kako so najbolj slavljene politične revolucije znotraj evropske tradicije, vključno s francosko in rusko revolucijo, kritično povezane s pojavom novih oblik političnega zločina, ki izvira iz vedênja množice. Okvir, ki je izdelan v članku, se opira na prispevke klasičnih antropologov in sociologov, ki so, četudi znani kot ključne figure, do sedaj ostali obrobni znotraj politične antropologije: Ferdinand Tönnies, Gabriel Tarde, Marcel Mauss, Gregory Bateson, Victor Turner and René Girard.

KLJUČNE BESEDE: politični zločin, prehod v moderno, klasična tradicija, politične revolucije, vedênje množice

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