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The Industrial Revolution and Crime in Germany: Quantitative and Qualitative Observations

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This paper reports on findings from years of research into the effects of socioeconomic change on the incidence of criminal activity in Germany between 1848 and 1914. It discusses the results of numerous analyses of time-series and cross-sectional data and a thorough investigation of literary and qualitative data pertaining to crime and justice in Bismarckian and Wilhelmian Germany. Although the quantitative and qualitative data do not always neatly overlap one another, they both point to the same general conclusions - namely that the supposed ill effects of urbanization and industrialization had very limited impact on patterns of criminality. What appeared to have a much stronger bearing on the incidence of criminality was economic hardship, ethnic strife, discrimination, and political action.

These findings call into question many long-standing and commonly accepted theoretical statements about the causes of criminality in all societies, but they need to be replicated in other national contexts if they are to be generally accepted. If they cannot be replicated, it will appear that Germany may have again followed a *Sonderweg* (different developmental path). But this author finds that doubtful. Though Germany's political structures and ethnic minorities were clearly different from other societies, recent quantitatively based studies of France, Germany, The United States, Sweden and elsewhere have reached many similar conclusions about the impact of the industrial revolution on criminality. (1)

In Germany it is clear that no marked upsurge in criminality accompanied the economic and social changes and supposed dislocations associated with the industrial revolution. Moreover, the size of communities, their rates of demographic and economic growth, and their predominant type of economic activity did not seriously affect criminal behavior. These

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findings refute the classic theories of Durkheim, Toennis, and Simmel and the warnings of various conservative political, religious, and civic leaders that urban and industrial life caused crime by means of anomie, alienation, crowding of population, and a break with church, family, and tradition. Once convincingly replicated elsewhere, such findings should have both theoretical and policy implications. Politicians and citizens should eventually realize that if cities and industrial areas have clean streets, good job opportunities, well housed and happy citizens, then they are likely not to have any more criminality than other types of communities.

My investigation of literary sources such as German novels, plays, short stories, and newspaper accounts serves to support and provide flesh and blood to the faceless numbers. Though the popular genre of criminal literature was less developed in Germany than in many countries, several important writers like Theodor Fontane, Gerhard Hauptmann, Wilhelm Raabe, and Karl May wrote about crime and justice in this period. (2) The analysis of their and others' works on criminality suggests that most Germans themselves did not believe that crime was associated with urbanization or industrial change per se. Rather the literary record shows that crime in German popular culture was most often associated with poverty, foreigners, and ethnic minorities (usually Poles or Lithuanians). The analysis of several leading newspapers in this period shows also that though crime was not usually portrayed in a prurient or even detailed fashion, most newspaper writers attributed criminality to the actions of their political enemies and to human weakness as opposed to urban and industrial change. (3)

The Quantitative Evidence

To provide support for my assertions above I will first summarize and describe some of my quantitative investigations and then make some comments on my qualitative work. To assess quantitatively the impact of urban and industrial change on criminal behavior I have thought it necessary both to analyze long-term trends of national and sub-national crimes figures and to analyze cross-sectional data cutting across the entire society (or as much of the society as possible) at different points in time. It is of course of paramount importance to have a clear understanding of what kinds of data are being used (i.e. whether the crime figures represent conviction records, arrests, police reports, etc.), and it is always necessary to have a healthy scepticism about the accuracy of whatever data are employed. Though it is widely recognized that the so-called »dark-figure« in criminal data makes all findings tentative and suspect and many have argued that criminal data shows nothing more than the actions of criminal justice officials rather than the actual amount of criminal wrongdoing, it is

my belief that all social data, not just criminal justice data, have »dark figures« which must be taken into account. But taking all of this into account, I believe that the German criminal justice data is perhaps exemplary in comparison with comparable data in other societies. (4) So, if the data are treated cautiously, and if a variety of different measures of »crime« are employed and analyzed with various and appropriate techniques, and if the results consistently point toward the same conclusions, then it is possible to make some assertions with at least some measure of validity. Furthermore, the validity of the quantitative results is strengthened if serious analysis of appropriate qualitative data point toward the same conclusions as well.

As early as the late nineteenth century, several German sociologists and criminologists such as Georg von Mayr, Wilhelm Starke, and Gustav Aschaffenburg made serious headway in analyzing primarily time-series and tabular data. (5) More recently their findings have been reexamined, added to, and treated with modern statistical techniques by several historians including German scholars like Dirk Blasius, and American scholars like Howard Zehr and myself. (6) Piecing together the results of all these works, it is possible to state with considerable assurance that the rates of most major types of criminal behavior such as theft, assault and battery, and homicide did not change much over the whole of the nineteenth century and well into the twentieth century. To be sure, there were some important fluctuations of short-term duration, especially in that everyone agrees that property offenses rose considerably during periods of marked economic hardship like the 1840s, but most agree that neither most types of either property or personal crime became measurably more frequent or infrequent over the entire time period. This means that the rates of these offenses were roughly the same before, during, and after the time of Germany's greatest industrial advances (usually considered to be sometime between 1848 and 1914). Thus the ever more urbanized and industrialized German society did not have more criminality. (7) The only significant changes in criminal behavior in fact were results of the decriminalization of some behaviors like wood theft, which prior to the middle of the century had been the most frequent of all offenses, (8) and to the creation of various new laws, mainly of a sociopolitical nature, in the late Imperial period. (9) Actually, the only serious divergence of opinion amongst scholars of long-term German crime trends is between Howard Zehr and myself over the issue of whether or not there was an upsurge in most forms of violent criminality at the end of the nineteenth and the beginning of the twentieth century. Zehr argues that there was for assault and battery, but that there was not for more serious offenses such as murder and manslaughter. I have argued that the reason for the apparent decline in homicide was due to more lenient sentencing practices which are easily docu-

mented. (10) Had Zehr used measures other than mere conviction rates, such as the corners' records which I have used, then he would have found that there was indeed a considerable increase in homicide. But this increase was only temporary as homicide rates and other crime rates returned to pattern once relative normally was reestablished, if only briefly, during the mid 1920s. Despite the ebbs and flows of the time-series rates, it is clear that urbanization, city living, industrialization, or anomie did not occasion any marked or sustained increase in crime rates when viewed over a long-term perspective.

Although time-series analysis does provide some assurance that the industrial revolution did not occasion higher levels of crime and violence, cross-sectional analyses are needed at different points in time to add more assurance to this argument, to test a variety of hypotheses about the impact of urbanization and industrialization on criminal behavior, and to describe the changes in criminal patterns that occurred during Germany's industrial revolution. In my first published papers on this subject, written in the mid and late 1970s, 1 attempted to do this by amassing a data set that was chock full of socioeconomic variables, though perhaps a bit limited in dependent variables (i.e. the crime variables) and taken from a level of analysis that was very highly aggregated (mainly the Regierungsbezirke of Prussia, which are similar to the departments of France used earlier in a similar study of French criminality by Charles Tilly and his associates). (11) This data set was then analyzed by several powerful, sophisticated, and somewhat mysterious statistical techniques such as factor, path, multiple regression, and multiple and partial correlation analysis. My results were interesting in that they demonstrated that there was no valid statistical associations between any measure of the level of urbanization or industrialization or any rate of change in urban or industrial growth and any major type of criminal behavior (measured then only by court data). What did correlate with criminality of various types was measures of poverty and particularly measures of ethnicity and literacy. Furthermore, I found that, though there was considerable stability in the geographical patterns of criminality across Germany, there was a marked growth in crime rates in the Rhine-Ruhr region around the turn of the century and this growth seemed to run parallel with the Landflucht (migration) of many Germans seeking work from the northeastern, and primarily agricultural border districts of Prussia (now mostly in Poland and the Soviet Union) to the more industrialized and growing western regions. Though, since my computer analyses showed no valid statistical relationship between any measure of crime and either the process, rate, or level or urban and industrial development, I concluded that anomie, Gemeinschaft to Gesellschaft, modernization, or any other theories linking the causation of crime to urban and industrial growth and change held no water and that crime in Imperial

Germany at least was engendered primarily by poverty, geo-cultural traditions, and ethnic diversity.

These findings and conclusions soon seemed extremely tentative to me for several reasons. One is that they did not explain very well why there was no correlation between urban and industrial growth and crime but there was the marked migration of crime from the rural northeast (though levels remained quite high there throughout the period) to the more developed west. I did try to explain this partially by suggesting that people may have transported their cultural patterns with them and that many of the people who moved westward were of poor and discriminated against ethnic groups like Poles and Lithuanians. A larger problem was that my cross-sectional data was of limited utility for a host reasons. Among them were that my dependent variables were lumped into broad categories such as »all crimes against the person« and »all crimes against property« which lacked any real specificity; (12) my statistical analysis was so sophisticated or rather that few historians could understand it and 1 was not certain eventually that I trusted it as well; and, most importantly, that my units of analysis were so few in number and so large that, though my analysis might have statistical validity, that validity might still have been rather spurious, if not to mathematically minded social scientists, to the more cautions historical profession.

Hence I embarked on an ambitious project by which I laboriously amassed a huge data set that consisted of cross-sectional data from over a thousand different communities of Prussia and the rest of Germany (mainly Kreise). (13) This study included more specific measures of criminality such as simple and serious theft, murder, manslaughter, simple and aggravated assault and battery, and other types of criminal behavior which are commonly accepted as measures of unlawful activity in all lands. Furthermore, when possible, I gathered measures of criminal activity from sources other than court records, such as in the case of using coroners' figures for homicide offenses, to add to the court records and provide a further test of their validity. The statistics I used were far simpler and more readily understandable to all scholars-mainly cross tabulations, percentages, and simple bivariate correlations. Some of my results were published in article form and others are to appear in a forthcoming book. (13) Though my findings generally supported my earlier investigations in that ethnicity and economic hardship proved to be even more highly related to criminal trends and that so measures of urban and industrial change correlated significantly with the crime variables, my view of crime causation was modified in one's significant way. That is that the causation of some property offenses though never any personal offenses seemed at least to be partially explained by a kind of structural theory which links the urban environment but not the rate of urbanization to property crime. Though

this theory was argued by Charles Tilly in his study of French criminality and though I found it to be of some utility in my own limited work on France, (14) it has never been satisfactorily articulated and it rests on much speculation. Why cities on average have higher rates of theft than towns and villages is unknown. Tilly thinks it may be because of different types of police activity or because of a more materialistic urban ethos, but he has never been able to prove it. (15) And I must confess that it is still a mystery to me. Perhaps had I done a better job of controlling for possible intervening variables such as ethnicity, age, and literacy, then the theory may be shown to be totally spurious. But that awaits more work.

There are many more results from my quantitative investigations of crime and the industrial revolution on which I could expand, but 1 believe that I have explained enough to detail the broad outlines of my mathematically based observations and to demonstrate many of the pitfalls and limits of quantitative historical criminology. Clearly the quantitative evidence is powerful, but it has its weaknesses just like all other types of evidence. Hence, historians and social scientists must continually make prudent judgement and always be mindful of the limitations of their data and the validity of their techniques no matter if they are working with quantitative or more traditional qualitative information. Also the more one knows about the ways in which data are generated, and the more one knows about the workings of the society which produces the social data used by he quantifier, the more one can trust one's findings and the more confidently one can posit one's conclusions. Clearly good quantitative history must be buttressed by solid qualitative evidence. (16)

The Qualitative Evidence and Conclusions

In work that I have yet to publish, I have made a serious investigation of the German criminal justice system during this period and in the popular and elite attitudes of German citizens in this period toward crime, criminals, and criminal justice. I have examined in detail the literary record left by novelists, playwrights, and short story writers; (17) I have read the comments by police officials, lawyers, judges, and other criminal justice officials; and I have read and analyzed crime news in numerous German newspapers. Not all of this evidence points sharply in the same direction, and it cannot be reduced down to mathematical equations. But certain commonalities are discernible, and generally the qualitative evidence supports my quantitative findings. Though crime was a subject of intense debate and many writers and newspaper editors used crime news to support their ideological predispositions, there was constant mention of the ways in which ethnic issues, foreignness, and economic matters *prompted* criminal misdeeds. Furthermore, there was nothing to suggest that urba-

nization or industrialization caused crime except in the tirades of some conservative writers against their ideological enemies who often lived in cities - Jews, socialists, foreigners.

Largely because this is after all the Cologne Computer Conference, I have given rather short shrift to my qualitative studies. Still I hope that I have said enough to underscore the absolute necessity of balancing quantitative research with a firm grounding in qualitative evidence. Although 1 strongly suspect that the impact of the industrial revolution on crime in Germany was not largely different from its impact on crime in other societies, only careful, laborious, and prudent scholarship by scholars whose feet are firmly implanted in both the quantitative and qualitative trenches of other nations can add much understanding to the issue of crime causation. Otherwise the Glasnost of quantitative research on criminal justice history will blow away like other hot air and the Perestroika needed for secure historical and theoretical knowledge will never be built.

Notes

(1) For general treatments of these themes in international perspective, see INCIARDI, James A. and FAUPEL, Charles E. (eds.). History and Crime: Implications for Criminal Justice Policy (Beverly Hills, 1980); GRAHAM, Hugh Davis and GURR, Ted Robert (eds.). Violence in America: Historical and Comparative Perspectives (Beverly Hills, 1979); SHELLEY, Louise I. Crime and Modernization: The Impact of Industrialization and Urbanization on Crime (Carbondale, 1981); and BLASIUS, Dirk. »Kriminologie and Geschichtswissenschaft: Bilanz and Perspektiven Interdisziplinärer Forschung«, Geschichte and Gesellschaft 14 (1988), 136-149. For more specialized studies, see LODHI, Abdul Qaiyum and TILLY, Charles, urbanization, Crime and Collective Violence in Nineteenth-Century France«, American Journal of Sociology 59 (1973), 196-218; ZEHR, Howard. Crime and the Development of Modern Society (London, 1976); COHEN, David and JOHNSON, Eric A. »French Criminality: Urban-Rural Differences in the Nineteenth Century«, Journal of Interdisciplinary History 12 (1982), 477-501; BLASIUS, Dirk. Bürgerliche Gesellschaft and Kriminalität: Zur Sozialgeschichte Preussens im Vormärz (Göttingen, 1976); BLASIUS. Kriminalität and Alltag: Zur Konfliktgeschichte des Alltagslebens im 19. Jahrhundert (Göttingen, 1978); EVANS, Richard J. »In Pursuit of the Untertanengeist: Crime, Law and Social Order in German History«, Ch. 5 in Evans, Rethinking German History (London, 1987); EVANS, (ed.). The German Underworld: Outcasts and Deviants in German Hi-

story (London, 1988); GURR, Ted Robert; GRABOSKY, Peter N. and HULA, Richard C. The Politics of Crime and Conflict: A Comparative History of Four Cities (Beverly Hills, 1977); SPIERENBURG, Pieter. »Deviance and Repression in the Netherlands: Historical Evidence and Contemporary Problems«, Historical Social Research/Historische Sozialforschung 37 (1986), 4-16; LANE, Roger. Violent Death in the City: Suicide, Accident and Murder in Nineteenth Century Philadelphia (Cambridge, MA, 1979); and MONKKONEN, Eric H. The Dangerous Class: Crime and Poverty in Columbus, Ohio, 1869-1885 (Cambridge, MA, 1975).

(2) For bibliography and commentary see SCHENDA, Rudolf. Volk ohne Buch: Studien zur Sozialgeschichte der populären Lesestoffe 1770-1910 (Frankfurt am Main, 1970); and ENGELSING, Rolf. Analphabetentum and Lektüre: Zur Sozialgeschichte des Lesens in Deutschland zwischen feudaler and industrieller Gesellschaft (Stuttgart, 1973). One of the reasons why so few German authors treated such themes was because few Germans bought their crime novels. This, however, was much more the case for serious authors like Theodor Fontane, whose two crime novels Quitt and Untern Birnbaum failed to sell more than 500 copies each, than it was for authors of trivial literature like Karl May whose stories of »Old Shatterhand« in the American wild west sold hundreds of thousands copies.

(3) See JOHNSON, Eric A. »Crime and Popular Opinion: Newspapers and Popular Magaziues«, Ch. 3 in Johnson, The Rechtsstaat: Crime and Criminal Justice in Imperial Germany (forthcoming). Most Germany newspapers were tied to a political party representing a specific ideological interest. The newspapers I have analyzed in greatest detail are major Berlin dailies such as the Kreuzzeitung (Conservative Party), Germania (Center Party), Vossische Zeitung and Berliner Tageblatt (Liberal and Progressive Party, although both officially considered independent newspapers), and Vorwärts (Social Democratic Party). I have also analyzed newspapers from various other cities in Germany to be sure that the Berlin newspapers were representative of more than merely the attitudes of Berliners.

(4) For a discussion of the availability and strengths and weakness of German criminal statistics, see REINKE, Herbert. »Statistics, Administration, and Concepts of Crime: Remarks on the Development of Criminal Statistics in Nineteenth- Century Germany,« Historical Social Research/Historische Sozialforschung 37 (1986), 39-49; and GRAFF, Helmut. Die deutsche Kriminalstatistik: Geschichte and Gegenwart (Stuttgart, 1975).

(5) MAYR, Georg von. Statistik der Gerichtlichen Polizei im Königreiche Bayern and in einigen anderen Ländern (Munich, 1867); STAR-

KE, Wilhelm. Verbrechen and Verbrecher in Preussen 1854-1878: Eine kulturgeschichtliche Studie (Berlin, 1884); ASCH AFFENBURG, Gustav. Crime and Its Repression, trans. Adalbert Albrecht (Montclair, 1968).

(6) BLASIUS. Kriminalität and Alltag; ZEHR. Crime and the Development of Modern Society; and JOHNSON, Eric A. »The Crime Rate: Longitudinal and Periodic Trends in Nineteenth and Twentieth Century German Criminality, from Vormärz to Late Weimar«, in: Evans, (ed.). The German Underworld, 159- 188.

(7) For actual figures and a detailed discussion of the figures, see JOHNSON. »The Crime Rate«.

(8) This is discussed in detail in BLASIUS. Kriminalität and Alltag, and in JOHNSON. »The German Criminal Justice System«, Ch. 1 in The Rechtsstaat.

(9) Mostly these were new laws for worker protection and worker insurance. Even the German officials called these laws »sociopolitical« (Gesetze sozialpolitischen Charakters) and discussed their importance in explaining the apparent rise of the overall crime rate of Wilhelmian Germany. See »Die Entwicklung der Kriminalität im Deutschen Reich seit 1882«, in: Kriminalstatistik für das Jahr 1927, vol. 370 of Statistik des Deutschen Reichs (Berlin, 1930), p. 32. Also many arrests and convictions were of socialist newspaper editors for libel. In the first six months of 1913 alone, 104 Social Democratic Party journalists were convicted for libel resulting in 40 years of imprisonment and 11,000 marks in fines. See HALL, Alex. Scandal, Sensation and Social Democracy: the SPD Press and Wilhelmine Germany 1890-1914 (Cambridge, MA, 1977).

(10) RABL, Rupert. Strafzumessungspraxis and Kriminalitäts- bewegung (Leipzig, 1936); EXNER, Franz. Studien über die Strafzumessungspraxis der deutschen Gerichte (Leipzig, 1931).

(11) LODHI and TILLY. »Urbanization, Crime and Collective Violence«; MacHALE, Vincent E. and JOHNSON, Eric A. »Urbanization, Industrialization and Crime in Imperial Germany, Parts I and II,« Social Science History 1 (Fall 1976 and Winter 1977), 45-78 and 210-247; JOHNSON and McHALE. »Socioeconomic Aspects of the Delinquency Rate in Imperial Germany, 1882-1914«, Journal of Social History 13 (1980), 384-402.

(12) In partial defense of this lumping together of criminal offenses into such broad categories, my study was at first conceived of partly as a German replication of Tilly's work on France and he used these exact same categories.

(13) JOHNSON, Eric A. »The Roots of Crime in Imperial Germany«, Central European History 15 (1982), 351-376.

(14) COHEN and JOHNSON. »French Criminality«. Cohen's and my study both replicated and added to Tilly's work by using data from both Assize and Correctional Courts for the late nineteenth Century. Tilly only used data from the Assize Courts for the mid century.

(15) Tilly and his associates attempted unsuccessfully by their own admission to test the police's role in recorded urban crime rates in several societies in TILLY; LEVETT, Allan; LODHI, A.Q. and MUNGER, Frank. »How Policing Affected the Visibility of Crime in Nineteenth-Century Europe and America«, working paper of the Institute for Social Research of The University of Michigan (Ann Arbor, 1981).

(16) This argument is made strongly in the beginning and final chapters of a new work on the application of statistical methods in historical research by JARAUSCH, Konrad; ARMINGER, Gerhard and THALLER, Manfred. Quantitative Methoden in der Geschichtswissenschaft: Eine Einführung in die Forschung, Datenverarbeitung and Statistik (Darmstadt, 1985).

(17) JOHNSON. The Rechtsstaat. Here my work follows in the tradition of the work of J.J. Tobias on England and Louis Chevalier on France. TOBIAS. Urban Crime in Victorian England (New York, 1972); CHEVALIER. Laboring and Dangerous Classes in Paris During the First Half of the Nineteenth Century (New York, 1973).