

throughout her piece, Abrams competently outlines the mainstream roots of many members of "the oldest profession" and their transitory practice of it.

Uwe Danker's thorough investigation of banditry in early modern Germany once again highlights the tendency on the part of the German authorities to exaggerate the threat to stability posed by criminal elements. Regina Schulte's account of poaching in Upper Bavaria in 1848 makes clear that some illegal activities enjoyed widespread popular support and certainly cannot be considered "deviant" behavior by outcasts of society. Eric A. Johnson's paper on "The Crime Rate, 1830-1930" concentrates on questions in the interpretation of available crime statistics and takes issue with established points of view; it also serves to put the detailed studies presented in the other contributions into perspective. The final two chapters, Wolfgang Ayass' study of "Vagrants and Beggars in Hitler's Reich" and Alan Kramer's paper on "Law-abiding Germans, 1945-1949" hold little surprise. Case studies of Hamburg rather than broadly based comparative studies on a national scale, the two papers, perhaps inadvertently, demonstrate that Germans adhered to conformity in adversity as well as under normal conditions.

The editor and his contributors are to be congratulated for their scholarly presentation of significant topics in German social history. Each of the studies offered stands solidly on its own, the research is impressive, the translations are sound and the writing is on the whole coherent, though the narration now and then seems disjointed. But if it was the underlying purpose of this collection to put into question the thesis of a prevalent *Untertanengeist* in German history, that purpose is not fulfilled by the points made in the individual studies and the arrangement of the entire volume. The intensity of the German reaction against deviance and law-breaking documented here proves the opposite.

Ernest A. Menze
Iona College

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Michael P. Fitzsimmons — *The Parisian Order of the Barrister and the French Revolution*. Harvard Historical Monographs, Vol. LXXIV. Harvard University Press, 1987.

The legal profession is generally portrayed as actively supporting the French Revolution. Georges Lefebvre, for example, characterized lawyers as one of five groups which formed the corps of the revolutionary bourgeoisie. Claiming that "such assessments are based primarily on the composition of the National Assembly rather than on any analyses of the legal profession itself," Michael Fitzsimmons sets out to reevaluate the legal profession's role in the French Revolution (ix). Fitzsimmons' *The Parisian Order of the Barristers and the French Revolution* traces the history of the professional association of the Parisian Barristers from the outbreak of the French Revolution, through the Order's abolition in 1790, and up until its reinstatement under Napoleon Bonaparte, in 1811. In contrast to the standard position, Fitzsimmons argues that the Parisian barristers "reacted timidly to [the French Revolution] and yearned for an ideal that was irretrievably lost, viewing the Revolution as more of an end than a beginning" (198).

The largely autonomous Parisian Order of Barristers (Ordre des Avocats de Paris) was a privileged corporate entity whose professional function was to present written and oral briefs to the Parliament on behalf of their clients. Unlike the lesser position of *procureur*, whose domain was limited to points of fact and procedure, barristers were able to argue more significant points of law or legal precedent. To join the Order of Barristers at Paris required a *Licence ès Lois*, earned either by examination or study, as well as the successful completion of a four year probationary internship (*stage*). The rigid probationary period required for admittance as well as the barristers' greater powers earned members of the Order significant status within the profession. In fact, unlike the title of *procureur*, that of barrister did not derogate a noble.

Members of the Order of Barristers generally reacted favorably to the calling of the Estates General which they viewed as an opportunity for political and personal advancement. Fully one-quarter of the Parisian delegation of the Third Estate was drawn from the ranks of the Order. However, the attack on feudalism launched on the night of August 4, 1789, when a small number of clergy and nobles met secretly with the National Assembly, placed the Order in direct conflict with the Revolution. Fitzsimmons argues that the true outcome of August 4 was not the mere abolition of feudalism, but the creation of a new French political ideal, that of a unified nation devoid of the Old Regime's corporations and privileged elites. This began a process which quickly escalated and by the summer of 1790, the Order of Barristers was all but officially abolished and the doors to French courthouses were open to any and all who wished to practice law.

The decorporatization of the nation left the Parisian barristers disillusioned and disappointed. Their privileged position and close association to the nobles of the Parisian Parliament caused them to oppose the breakdown of pre-revolutionary society. In response, some simply retired from the profession altogether, others assumed judicial or administrative positions and still, others continued to practice before the new courts. It is this last group which Fitzsimmons focuses upon as he believes that those who continued to serve as barristers during the Revolution best reflect the reactions of the legal profession to the Revolution.

Those who continued as barristers struggled to maintain the honored position of their profession and the integrity of the legal system. They complained to the Revolutionary government about the incompetent and often unscrupulous self-styled lawyers, who, they claimed, even visited Parisian prisons in order to find potential clients. Fearing that the legal system would suffer after the closing of all of France's law schools in the late 1790s, members of the Order of Barristers were heavily involved in the formation of two private institutions dedicated to the training of lawyers, the *Académie de Législation* and the *Université de Jurisprudence*.

The reincorporatization which took place under Napoleon's authoritarian rule paved the way for the restructuring of the Order of Barristers. The new Order, however, did not regain the broad unchecked powers it previously enjoyed as Napoleon feared the barristers' duties to their clients could place them at odds with his government. Never again would the Order return to its fully autonomous pre-1789 position. The pre-revolutionary society based on the ideas of *état*, *corps* and *ordre*, which gave birth to the Parisian Order of Barristers, had disappeared forever.

The Parisian Order of the Barristers and the French Revolution is an informative history of the barristers and their struggle against the new ideal of the nation which surfaced in the National Assembly. It clearly demonstrates the incompatibility of corporate professional associations and the revolutionary ideals of liberty and equality. Fitzsimmons' decision to include in his study only those barristers who continued to practice law during the Revolution distorts his findings towards a conclusion that barristers generally opposed the Revolution. A disproportionately high number of previous members of the Order chose not only to participate in the recreation of the judicial system, but also to serve as justices and administrators to this system. Their activity seems to indicate tacit approval.

Fitzsimmons' conclusion that the legal profession was generally less enthusiastic towards the French Revolution is based upon data drawn from his investigation of a small and elite minority. The profession of barrister was atop the legal pyramid; it was a mark of status to belong to their Order and many joined just for this reason, without then continuing to practice law. Because of their honored position and their professional attachment to such Old Regime institutions as the Parliament of Paris, the barristers were precisely the group of lawyers who would most likely oppose the Revolution. Other members of the legal profession might have welcomed decorporatization which opened the courthouses to these less elite jurists.

Andrew Scott Goodman
University of Pennsylvania

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Jan Goldstein — *Console and Classify: The French Psychiatric Profession in the Nineteenth Century*. Cambridge: Cambridge University Press, 1987. Pp. xiii, 414.

At the outset of this ambitious study, Jan Goldstein observes that work on the emergence of psychiatry in nineteenth-century France has tended to be "insufficiently historical" (4). The present work, the first book-length publication by a non-French scholar, aims to remedy this perceived deficiency by placing psychiatric thought in the broad contexts of professionalization, bureaucratization and secularization. To say that Goldstein succeeds without neglecting the major conceptual themes within psychiatry nor the human actors who shaped the profession's development is to recognize that *Console and Classify* is an historiographical *tour de force*, quite simply the most insightful work on the subject in English or any other language (at least from the perspective of this reviewer who considers himself reasonably sympathetic to Foucault and the Gallic approach).

The author's skill in marshalling the results of scrupulous research in archives and a wide variety of texts at various levels of analysis — social, political, linguistic, epistemological — makes this a difficult book to unpack for review. Goldstein uses models provided by historian-philosopher of science Thomas Kuhn and sociologist Terry Clark to look at psychiatry in terms of paradigms and academic "circles" of patronage respectively.

After sketching how a loosely structured framework for a professional subdiscipline dealing with mental diseases emerged in revolutionary France from a convergence of bureaucratic state concerns, anthropological ideas on the reciprocal