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Presentation – Medicalization of crime: genealogical inquiries

Apresentação – Medicalização do crime: indagações genealógicas

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The conversion of criminal behavior into an object of medicine is invariably present in the major modern crime management strategies. The compendium of knowledge in the field of human and social sciences allows us to observe the persistence of the theme's inclusion in contemporary research agendas and, at the same time, recognize the relevance of sociohistorical approaches in the investigation of the trajectories of crime medicalization in recent periods.

Thus, inquiry into issues such as that of the “incurable minor” – reiterated in the contemporary diagnosis of the oppositional defiant disorder (ODD) – reveal the intriguing presence of matrix elements of psychiatry's institutional role in the defense of society. Similarly, categories from the early days of psychiatry such as degeneracy and perversity, part of the Lombrosian idea of a “born criminal”, would have left behind historical sediments in high enough doses to still appear associated with the more contemporary notion of “disorder of antisocial personality” (Mitjavila; Mathes, 2013).

On the other hand, the kind of biopolitical rationality that characterizes processes of medicalization of crime in contemporary times demonstrates, together with the “mental hygiene” movement of the early twentieth century, that psychiatry's domain expansion answers not only to medical knowledge's expansionist intrinsic impulses, but also to its connections and articulations with broader processes in the biopolitical management of abnormal behaviors.

In general, studies examining the emergence and consolidation of criminology since the second half of the nineteenth century (Darmon, 1991; Harris, 1993) have shown the matrix character, and the contemporary developments, of psychiatry's precociously-obtained monopoly in defining crime and the criminal far beyond the criminal act itself;

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that is, as attributes that outline the diffuse contours of the abnormal, in the sense pioneered by Michel Foucault (2002) in his elaborations on the psychiatrization of crime at the European level.

This monopolistic stance of medical knowledge stems, among other things, from the institutional trust usually placed by modern societies in science and technology, seen as strongholds in the management of fear, uncertainty, and threats (Mitjavila; Mathes, 2016). Crime tends to expose the fragility of the social fabric in managing behaviors that represent normative deviations and, at the same time, escape institutional schemes of social control. In the specific case of criminal peril, fear and uncertainty seem to lead institutions to one and the same source of stability: psychiatric medicine. Therefore, psychiatric knowledge establishes itself as an arbiter of criminal danger by means of a “discourse of fear whose function is to detect danger and to counter it. It is, then, a discourse of fear and of moralization” (Foucault, 2003, p. 44).

To a certain extent, the biological essentialism present in contemporary etiological models of crime - which are also characterized by their punitive and socially individualizing orientation - seem to reiterate the secular tendency of a modernity that, in pathologizing crime, contributes decisively to its naturalization and, consequently, to the depoliticization of phenomena that participate in the production and social reproduction of criminal behavior.

This dossier is intended as a presentation of analyses on how crime’s medicalization has been integrated into a set of knowledges, practices and institutions responsible for the monitoring and sociopolitical control of crime and the criminal individual in modern societies (Kemshall, 2006). These are five contributions whose publication is carried out as part of a research project, with the purpose of describing and carrying out comparative analysis of medicalization of crime processes in different contexts.¹

The article entitled “Security devices, psychiatry and crime prevention: the TOD and the notion of a dangerous child”, by Sandra Noemi Caponi, opens the dossier with reflections on a very current issue: the growing tendency towards a multiplication of psychiatric diagnoses in childhood. The proliferation of this type of diagnosis develops within the framework of preventive psychiatry, which views itself as based on assumptions according to which certain psychiatric pathologies that manifest in childhood, if not treated, may evolve in adult life towards severe and irreversible psychiatric disorders, associated with crime and delinquency. The author’s analysis focuses on one of these childhood psychiatric disorders, known as *oppositional defiant disorder* (ODD), to show how contemporary psychiatric medicine associates this diagnosis with the development of antisocial personality disorder in adult life.

Through a historical retrospect that takes us to the nineteenth century, researcher Claude Doron analyzes the construction of the psychiatric concept of perversion and how this concept is employed in the medical-legal field. In his article entitled “Perversion or perversity?: Genealogy of a medical-legal debate”, Doron exposes the process of conceptual elaboration that, from 1820 onwards, develops around the game of oppositions represented by the notions of perversity and perversion which, in their turn, allow a distinction between two registers: one legal (perversity) and the other medical-psychiatric (perversion), as well as the treatment both concepts receive and their connections with the definitions of criminality and criminal peril.

The third article, entitled “The management of the minority under the Social Service of Assistance and Protection for Minors of São Paulo (1930-1940): a crossroads of knowledge”, authored by Viviane Borges and Fernando Salla presents an analysis on how the children who were under the tutelage of São Paulo’s Social Service of Minors Assistance and Protection between 1930 and 1940 were categorized. From an extensive analysis of

¹ Research project “A medicalização do crime no Brasil e no Uruguai: indagações genealógicas”, executed at the Universidade Federal de Santa Catarina with financial support of the National Council for Scientific and Technological Development--CNPq, process number 409709 / 2013-1, and coordinated by Myriam Mitjavila.

documentary sources, the authors describe and analyze the forms of classification of the population, an activity supported by legal, medical, psychiatric and criminological knowledge, as well as the use of this information for legitimizing state interventions in the field of child services, with social projections that reached into the family space.

María Fernanda Vásquez, in her article “Degeneration, criminality and hereditary alcoholism in Colombia, first half of the 20th century”, analyzes the relationship between the medicalization of crime and the pathologization of alcohol consumption as a social practice. The author shows how the Colombian medical discourse of the examined period objectivized alcoholism as a disease or “morbid state” in close association with crime and the prevalence of mental illness. The article also emphasizes the importance of the appropriation of the theory of degeneration, and its use as a scientific basis for the establishment of etiological relations between alcohol consumption and the development of criminal practices and mental disorders.

The dossier is closed with the contribution of Elizabeth Ortega, María José Beltrán and Myriam Mitjavila, presented in “Eugenics and medicalization of crime at the early 20th century in Uruguay”. In this study, the authors examine the relationship between eugenics and the medicalization of crime in Uruguayan society in the late nineteenth century and first three decades of the twentieth century, placing emphasis on the peculiarities of the Uruguayan case, characterized by an almost complete absence of references to race as the cause of criminal

behavior, and by the exaltation of the dysgenic and criminogenic role of alcohol consumption.

Finally, we hope that the material that makes up this dossier can contribute to the current historical and epistemological debate about the medicalization of crime and the various preventive strategies involving knowledge, institutions and social control mechanisms.

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