

material he sought, it does not paint Ranke in a flattering light. Given his purposes, Eskildsen might better have emphasized how many archives Ranke *did* get to make their files available and the knock-on effects of his getting in: surely it became harder for state officials to defend closed doors when Ranke's students and colleagues were singing the praises of open access? If Ranke made archival access a virtue states bureaucrats could not defy, he deserves even more credit among us than his purported pursuit of objectivity earned him in past decades.

As noted above, Eskildsen, happily, draws on the work of early modern historians Anthony Grafton, Hans Peter Reill, Lorraine Daston, Steven Shapin, and others; this is a real strength and makes this an innovative endeavor. But I wonder about some of Eskildsen's choices: why focus only on the German states, when the world of early modern Latinity was so cosmopolitan? Herder, too, consumed vast amounts of French and English materials; Winkelmann learned most of his connoisseurship in Rome. Why is there no chapter on the museum, where so much nineteenth-century knowledge about the past was made? Perhaps the academies of science deserve a look-in, or the editorial offices of journals? Why no discussion of ancient or biblical history, where so many were active and debates over sources were so fierce and so very long-winded? Why no Chladenius, Schlözer, Heeren, Gervinus, Droysen, Treitschke? Why no discussion of chronology or geography as vital skills? And why stop in 1900? We will have to hope that there is a sequel in the making.

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Subjektivierungen und Kriminalitätsdiskurse im 18. Jahrhundert. Preußische Soldaten zwischen Norm und Praxis

By Janine Rischke-Neß. Göttingen: V&R unipress, 2021. Pp. 473. Hardcover €60.00. ISBN: 978-3847111641.

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Janine Rischke-Neß's doctoral dissertation is an exploration of Prussian military justice in the early eighteenth century. After the lengthy introduction (65 pages), the book lays out the institutional framework of Prussian military justice (chapter 2), identifies typical areas of conflict (chapter 3), explores seven case studies (chapter 4), and then discusses various punishments and the "restoration of order" (chapter 5).

The introduction places this study in the context of earlier studies of cultural norms such as honor, group identity, deviance, discipline, criminality, etc. The author convincingly asserts that the legal testimonies and documents under study are ego-documents, and that the accused, their accusers, and various witnesses were aware of legal discourse and strategically shaped their statements to their own ends. (This reviewer expected a nod here to Natalie Zemon Davis's classic *Fiction in the Archives* [1990], but it is never mentioned.) The author extrapolates the well-established subjective nature of early modern justice to the military, pointing to familiar extenuating and exacerbating factors such as social standing, familial connections, physical appearance, everyday violence, drunkenness, and

utilitarianism (in the case of the last, not so much military expediency as the exigencies of recruiting and retaining valuable soldiers).

Regimental records of petty offenses and day-to-day military justice were either not kept or were destroyed in World War II (along with most other archival materials of the eighteenth-century Prussian military). So, empirically, this study relies on the dynastic archives of Anhalt-Dessau, especially the files of the regiment of Leopold von Anhalt-Dessau (“Der alte Dessauer,” 1676–1747). Additionally, the minutes from the king’s cabinet are used, to the extent that they discuss courts martial.

The first couple of chapters lay out the institution and the typical issues of military justice in the early eighteenth-century Prussian army. Surprising here is the relatively egalitarian and balanced system of military justice. At least when accused of capital crimes, soldiers were judged by juries that included their peers and were defended by “auditors” with legal training — this does much to bust the myth that “manorial justice” was capriciously imposed by Prussian noblemen on their subordinates, in the military as in the civilian world. On the contrary, Rischke-Neß convincingly demonstrates that young men in Prussia were well-aware of their special legal situation once they were enrolled in the canton system (even if they were never actually enlisted in the army). Exempt from civilian legal authority and confident that they need not fear any consequences from the military justice system, these young men defied civilian authorities at will, as repeated complaints from the latter demonstrate. Only hardcore legal historians will be interested in the details of the processes of the military justice system, but Rischke-Neß clearly lays these out and even includes various flow charts to illustrate them.

The heart of this book is the presentation of the seven case studies. They run the gamut, from a conspiracy to desert, to excessive violence by recruiters, to insubordination, to the killing of a soldier by civilians, to murder/suicide, to accidental killing, to fraud and “corruption.” In each case, the author thoroughly presents (the various versions of) what seems to have happened, the sources, and a close analysis of the testimonies of the various people involved, as well as the verdict and sentence, when available. Each case illustrates various tensions that spanned the military justice system. Important here is that the seemingly objective military justice “system” turns out to be very subjective and flexible.

In the first case, soldiers who believed they were entitled to leave were denied it. When they attempted to go over the head of their own superior officer by traveling to a neighboring town to request leave from his superior, they were accused of desertion. The case illustrates the fine (potentially life-and-death) distinction between “leave” and “desertion” as well as the moral economy of the soldiers, who insisted that they had done no wrong. The second case is an illustration of civilian-military relations, in that recruiters were accused of beating civilians who sought to intervene as they shanghaied a young man. This case makes clear the military’s obstinance when confronted with civilian demands for justice, in that the recruiters were effectively shielded from prosecution. The third case is more complicated and involved a charge of insubordination against a dragoon who protested against the demotion of a comrade to the infantry. Mitigating factors included the drunkenness of the accused and the (dis)honor to the dragoon who was to be demoted and how it would reflect on the rest of the dragoons (including the accused). In the statement of the accusing officer, the protest was an incipient mutiny and should be punished as such; in the words of the accused, he was simply standing up for what was right.

The fourth case involves the killing of a soldier by civilians. The authorities’ interest (when interrogating his comrades) was whether he had been drunk or aggressive towards his killers. The fifth case is the murder of his own child and attempted suicide by a “melancholic” soldier. Surprisingly, the perpetrator was not prosecuted. Given that the soldier was repentant and had otherwise always been well-behaved, and that he had spontaneously killed his child while drunk and distraught over the recent death of his wife, the resolution was to return him to the ranks. In the sixth case, a soldier accidentally killed a young woman with whom he was quartered, and again, based on his good record, he was not prosecuted.

The final case is one of “Plackerei,” that is, regimental officers supplementing their salaries via extortion and fraud. A sergeant and his colonel accepted bribes to grant soldiers leave or permission to marry, or to discharge local peasants or exempt them from conscription. This practice was common, but its illegality had been reiterated repeatedly. Rischke-Neß focuses here on the tensions between officers who accepted bribes and issued privileges in the names of others, and between “norms” and “rules” (especially given the insistence of the officers that they had done nothing out of the ordinary).

There is little to criticize here. The book claims to be a cultural history of criminality in the Prussian army, but given the admittedly anecdotal empirical basis, it might be better understood as a survey of the Prussian military justice system with several case studies. The issues of masculinity, honor, and group identity that are repeatedly raised seem to beg for a gendered analysis, but Rischke-Neß mentions “gender” only regarding illicit sex and rape. It is frustrating for the reader — though hardly the author’s fault — that the sources do not reveal the outcomes (verdicts, sentences) of a couple of the cases under study. The author focuses on the training of soldiers as indicative of their value (and the incentive to rehabilitate them or never prosecute them at all), though it is clear that often it was simply their height (as in the case of the recent Bavarian recruit who accidentally killed a civilian). The book is generally well-written but sometimes repetitious, and it would have benefitted from another round of editing.

Otherwise, this book is well-conceived and well-executed. It should be of interest to anyone concerned with early modern criminality (and its punishment), legal history, military history, the history of Prussia, etc.

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Battling Smallpox before Vaccination: Inoculation in Eighteenth-Century Germany

By Jennifer D. Penschow. Leiden and Boston: Brill, 2022. Pp. xv + 295. Cloth \$150.00. ISBN: 978-9004465138.

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Compared to the great attention paid to vaccination, German medical history has treated inoculation against smallpox as a poor relation. This form of immunization against one of the most dreaded and lethal epidemic diseases of the early modern period is usually covered as a precursor of the real thing, a small step for humankind before the giant leap that would ultimately lead to the eradication of smallpox in the 1970s. Jennifer D. Penschow’s book tries to shift this disbalance and give inoculation its due. Published 300 years after the first inoculations performed in Europe in 1721, she aims to explore the cultural and social attitudes towards preventive measures against smallpox, from the introduction of inoculation in Germany in the 1720s to the emergence of vaccination as a superior alternative in the first years of the nineteenth century.

Penschow relies exclusively on printed material, as she found archival sources to be too few in number and of little use, and she turns to vast numbers of medical dissertations, articles in the periodical press, and literary works that fill two bibliographical appendices covering almost thirty pages. On this basis, Penschow develops her history of inoculation