

Elisa M. Becker, *Medicine, Law and the State in Imperial Russia*, Budapest: Central European University Press, 2011. Pp. 412. \$45.00 (ISBN 978-9-639-77681-4).

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The physician was a creature of the state in imperial Russia from the time of Peter the Great (1689–1725) until the beginning of the twentieth century. This is Elisa Becker's central argument in her study of how medicine, the law, and the state were intertwined at the very establishment of forensic medicine in Peter the Great's Military Statute of 1716, and continued to be linked in physicians' and jurists' vision of law, medicine, and science at the end of the imperial period. Becker delineates the commonalities between forensic medicine and the law in imperial Russia and European countries, but she asserts that the Russian case displays a uniquely tenacious identification with the state by jurists, physicians, and professors of medicine up to 1900.

Becker's thesis departs from the prevailing historiography of professionalization in late imperial Russia by stressing the centrality of physicians' identification with the state after the watershed 1864 judicial reform. Becker has captured an essential aspect of Russian imperial culture, which retains its force today in the post-Soviet Russian Federation: the state was the ultimate source of status and identity for the vast majority of Russian subjects, even those who entered the so-called free professions. That physicians in the imperial era would continue to identify with the state that had established their profession, provided their education, and continued to summon them to fulfill their legal functions in forensic medicine should not be surprising. However, Becker justly presents her study as a corrective to the view that physicians, like other members of late imperial Russia's professions, sought autonomy from the state in a search to establish civil society. Rather, as she concludes, "[P]hysicians sought to gain autonomy and redefine their role from within the state . . . through an ongoing series of procedural and administrative adjustments to existing social and political conditions" (270).

The transition from the inquisitorial system before 1864 to the adversarial system with trial by jury for criminal cases after 1864 is the heart of Becker's study. She examines how jurists, physicians, and professors of medicine defined the forensic physician's role in the inquisitorial system in the first half of the nineteenth century. Through the written description based on visual examination of the victim and his or her location, the forensic physician before 1864 informed the judge, who relied on that description to make a ruling. This granted forensic physicians considerable authority in the process, however low their social and political status was. The adversarial system threatened that authority by forcing the physician to present his conclusions orally before a jury and the opposing side of the case. "For the first time in Russia's history, a jury of laymen were to decide verdicts according to

their ‘internal conviction’ rather than the rigid and formalist rules of evidence that operated under pre-reform inquisitorial procedure” (218). At the same time, those medical experts called for the defense had the potential to challenge the authority of the state in the person of the prosecuting lawyer and the procuracy standing behind that state lawyer. “Hence, forensic medicine constituted a competing source of authority to the autocracy in the immediate and localized sense, as a safeguard of due process and individual rights” (218).

This role generated fierce debates over psychiatric defenses, including the defense of a “melancholic” would-be assassin of Alexander II, who fired a pistol at him in 1866, and the trial of a state employee who physically assaulted his superior only 3 months after the assassination attempt. With these trials and the use of the insanity defense so soon after the introduction of the adversarial system, “The role of the physician-expert became politically charged from the start” (228). Becker examines the extensive post-reform publications issued by the state to inform and instruct the public and jurists, as well as writings by prominent academics and jurists who tackled the question of the physician’s proper role and authority. In an era of near worship of science, the science of medicine became the physician’s primary source of authority, which most jurists and all physicians came to defend against the state’s administrative review. However, Becker stresses that physicians did so not to stand apart from the state, but “to preserve and strengthen their traditional authoritative role in state institutions” (247).

Becker’s citations demonstrate her grasp of the comparative literature and the published primary and secondary sources. She makes surprisingly rare reference to archival materials (fewer than 30 notes of her 870 notes mention archives). The illustrations are well chosen and illuminating. Becker’s writing is clear, if somewhat repetitive, making the study accessible to a broad readership.

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Chris R. Kyle, *Theater of State: Parliament and Political Culture in Early Stuart England*, Stanford: Stanford University Press, 2012. Pp. 288. \$60.00 (ISBN 978-0-804-75288-6).
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The concept of the public man was set forth in Stephen Marshall’s great eulogy for John Pym in 1643, and the following year in Milton’s *Areopagitica*. When John Felton assassinated the hated Duke of Buckingham in 1628, he