CHAPTER SIX

Theft and thieves in German department stores, 1895–1930: a discourse on morality, crime and gender

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Shoplifting today is a mass phenomenon, which in 1994, resulted in 579 274 cases being reported to the German police. However, the actual number of these crimes committed in Germany is perhaps 25 times greater, creating an estimated annual economic loss of 2 billion DM.[1] A hundred years ago, people did not know how to react to this phenomenon, although in certain well-read circles there would have been an awareness of the novel by Karl Gutzkow entitled *The Wizard of Rome*, which was written towards the end of the 1850s and described the conviction of a rich woman for theft from a fashion shop. Many people would have read Emile Zola's *Au Bonheur des Dames* (1882), a work in which shoplifting becomes a symbol of the seductive power of the modern type of Parisian department store. However, only specialists would have known Victor Mataja's book *Large Stores and Retail Trade* (1891), in which the author refers to the situation in Paris once again, this form of theft as yet remaining undifferentiated from common crime in Germany. At this time, both brawls and theft were part of everyday life and were more likely to result in the perpetrator being beaten up than reported to the police. In addition, theft from small shops was complicated not only by the presence of the proprietor and the shop assistant, but also by the broad shop counter which acted as a simple and effective deterrent.

By the end of the 1890s, the situation in Germany had changed dramatically. 'Today one can read about thefts in department stores everywhere.'[2] From the 1890s onwards, the department store had gained ground in Germany as a new form of business enterprise.[3] Apart from profound changes produced in the retail trade, the advent of the department store also resulted in new, and sometimes criminal, behaviour patterns particularly amongst female customers. Whilst shoplifting today is regarded with reluctant tolerance as an unavoidable evil, German

people at that time reacted with a mixture of fascination and amazement to this strange form of crime which did not correspond to their norms of bourgeois virtue.

This chapter investigates the early history of shoplifting within the context of the intellectual cultural environment in Germany after the turn of the century. Before exploring the different manifestations and interpretations of the new phenomenon of 'department store theft', its empirical significance should be considered. The first group to criticise the new form of business enterprise was the shopkeeper movement. In their view, the business ethics practised by department stores were immoral and, as such, were both an expression and the origin of criminal action. Journalists and economists offered explanations which were less straightforward. They argued that the department store operated as a selling machine, using – or indeed abusing – the female psyche. The social responsibility for theft was already under discussion but, under the influence of the new sciences of psychiatry and criminology, blame was now individualised. Department store theft was considered to be not only the product of woman's body and her sexuality but also of mental disease and inferiority, which was regarded as part of woman's nature. This 'scientific' view, the product of male prejudice, served as the basis for an understanding of department store theft which was both new and unromantic. By the 1920s department store theft had lost its exceptional status and had become one more petty crime amongst others.

The quantitative development of department store theft in Germany

It is impossible to investigate the precise number of department store thefts in Germany around the turn of century, because the data published at that time are not sufficiently consistent. German crime statistics before 1977 were published as undifferentiated data, using only general categories. In criminal law, department store theft did not differ in any way from ordinary neighbourhood or street larceny. All these offences were considered as different forms of 'simple larceny' and therefore those convicted were punished by imprisonment.[4] In cases of 'repeated simple larceny' the punishment quickly increased in severity, possibly amounting to several months or even up to a year in prison, but rarely more than that. An examination of these crime statistics, containing only the number of convicted thieves within the general categories, reveals that department store theft certainly did not increase the total number of cases of 'simple larceny'. On the contrary, the annual total decreased slowly but continuously, with the exception of the years of war and inflation. The statistics also show that the number of thefts committed by women decreased much more than the number committed by men. This occurs particularly in the case of 'repeated simple larceny', which probably took place more often in department stores than in any other location. This unbalanced pattern of development is significant and relates to issues of gender and department store theft which will be examined in more detail.

Nevertheless, the decrease in official crime statistics must not lead to the mistaken belief that the new phenomenon of department store theft was negligible. A regional analysis of the relevant court records shows, for example, that the proportion of women in all cases of 'simple larceny' was at least 10 per cent and that this trend was rising.[5] This percentage, if extrapolated to apply to Germany as a whole, would produce a figure of approximately 2 000 female department store thieves each year. Considering the relatively small scale of the problem indicated by these figures, can a study of this phenomenon be justified?

It can be argued that there are three reasons which make such a study worthwhile. Firstly, if evidence from unofficial sources is also taken into account, a distinctly different impression of department store theft will emerge. Contrary to the pattern followed by the development of 'simple larceny', the absolute figures clearly rose from the turn of the century until the beginning of the First World War. In 1898, nearly a hundred shoplifters were taken to court by the Berlin department stores. In 1907, this number was reported for the last few days before Christmas alone.[6] In 1909, 'several hundred thefts' were noted by the West German company of Leonhard Tietz, and at the same time it was mentioned that these 'were not as widespread in west Germany as, for example, in Berlin'. It was estimated that the value of all the goods stolen at Wertheim would be 'enough to run an ordinary department store'.[7] The increase in thefts did not match the growth in department store turnover, which rose from 50 million Marks in 1900 to approximately 500–600 million Marks in 1913,[8] but it is clear that department store theft did increase within the overall crime statistics. This trend continued during the first years of the First World War but, contrary to the development of larceny as a whole, department store theft rapidly lost significance after 1916 because supplies of goods for the department stores were unavailable.[9] After the First World War, the number of offences increased enormously again. 'In 1921, according to a police report, more than 1 000 thefts occurred in one of Leipzig's biggest department stores. The value of the missing goods reached more than 750 000 Marks.'[10] It was only with the stabilisation of the German currency that these figures decreased, finally settling by the end of the 1920s at a level probably slightly below that of the pre-war period.[11]

Secondly, it is necessary to examine why the development of department store theft was not reflected in the official crime statistics. The reason lies principally with the department stores themselves. Not only the customers, but also the thieves were treated in a relatively generous way. The department store detectives who from 1898, were employed to guarantee the internal security of the salerooms, always took the particulars of the thieves but, although they sometimes photographed them and ensured that the stolen goods were paid for, they normally did not hand the culprits over to the police. Persistent offenders, professional thieves and gangs were the only exceptions.[12] Generally, department stores refrained from making official announcements because they feared that any association with crime might harm their business.[13] For this reason, the official statistics revealed only a fraction of the thefts discovered, which again were only a small part of all the offences occurring. As a result, the official statistics did not reflect the real situation. Department store theft could only be counted when it was discovered, reported to the police and punished accordingly, leading to the inevitable conclusion that there were a great number of crimes which were not reported.

Thirdly, it can be argued that the ensuing discourse on theft and thieves in German department stores was one which was taking place without a sound empirical picture of the new phenomenon and therefore could not be 'objective'. A study of this phenomenon will not reveal 'facts' concerning a special form of crime, but can lead to a greater understanding of the contemporary assessment of the department store, of the subsequent consequences and of the perception of female crime by male experts. Many contemporary articles and books illustrate how people at the turn of the century merely equated this new form of retailing with a new form of crime. This consciousness formed a mental reality in its own right and in some ways gives a better impression of contemporary values and priorities than empirical information ever could. Although department store theft was an important criminal offence, its historiographic significance clearly consists in a discourse on morality, crime and gender, which, at the same time, mirrored the mentality of German society.

Business immorality and personal immorality: the perspective of the petit-bourgeois movement

Today, the significance of the department store as a new and innovative form of retailing is widely accepted. However, a hundred years ago, Germans were unable to recognise and define the department store in a

modern sense. It was quite difficult to distinguish between the former bazaars, large shops and hire purchase companies, between consumer co-operatives for civil servants and mail order houses with salerooms. The problem of differentiation was even more difficult because German department stores originally sold mainly cheap and mass produced articles using loud and blatant advertising. This explains why the petite bourgeoisie, which dominated the retail trade, concentrated its energy, at least till 1896, primarily on competing with hawkers and consumer co-operatives. The department stores were not seen as a threat but rather as objects of scorn and mockery.[14] The traditional retail traders had seen the appearance of many unusual kinds of retailing, frequently of a transitory nature as in the case of the one-price bazaars, and it was presumed that this would also be the fate of the department stores. The petite bourgeoisie backed a policy of 'quality' instead of 'trash', they preferred polite service to the anonymous treatment of customers: 'The retailer should advise the public; as an expert he should point out that one thing will suit you whereas another item might not be appropriate for your particular household. In this respect, retailers will always be good advisers for their customers.'[15]

But these expectations were unrealistic and when, in 1897, a new architectural style came to symbolise the dynamic expansion of department stores, the petit-bourgeois movement began a systematic campaign against the new competitor, whose strategy appeared both unfair and immoral. The petit-bourgeois movement was especially angry about the 'loss leader' system, which meant that goods were offered at cost price or even lower. In the eyes of the retailers, this was only a sales gimmick. The department stores tried to present themselves as a cheap source of goods, but they used 'business practices, which would have created outrage in former times'.[16] In reality, however, goods were not cheaper, and the quality undoubtedly compared unfavourably with the usual range offered by an old-established retailer. The petit-bourgeois movement never considered the department stores to be an equal competitor, but as illegitimate interlopers denying small retailers their rightful property.[17] This 'criminalisation' of department stores was an important basis for the public and political confrontations which followed. The prohibition and 'strangulation' of the department stores was demanded in Germany and many special taxes and state restrictions were introduced.[18]

During this conflict, newspaper articles on department store theft were seized upon by leading representatives of the petit-bourgeois movement. They could easily be integrated into the existing debate, and the well-known thefts in Parisian department stores had already been interpreted as a symbol of the increasing immorality in public life.[19] It

became clear that in Germany, too, a gradual moral decline had begun. The collective departure of department stores from traditional business practices led directly to individual deviance: 'Opportunity makes a customer – it also makes a thief. These great bazaars and chain stores lure the customer into buying and stealing those masses of goods which are so enticingly arranged; they have made many a vain and over-dressed woman into a thief.'[20] The department stores helped to make this kind of crime an everyday phenomenon. Both the working class and the middle class were affected. The petit-bourgeois movement argued that the department store undermined the unwritten laws of traditional and patriarchal society and that their existence therefore challenged the moral consciousness of the German nation.[21] Fighting against the new competitor meant fighting for the ethical ideals of the German people, it meant resisting the reprehensible influences of the scheming Americans and the artificial French.[22] Whilst the supposed decline of the middle classes caused by the department stores had to be prevented by the State, the struggle against the risk posed by female thieves had to be individualised: 'Craftsmen, merchants and peasants! Keep your wives and daughters away from those stores, for otherwise you may get them back, roasted by (hell) fire or denounced as thieves.'[23] An alteration in the behaviour of women was seen as instrumental in helping men gain victory over their opponents. In this discourse, the German woman was seen as a moral force that must be protected against all the temptations which led her to theft. The German family was imagined as a bulwark against the immorality of department stores, an immorality that could also be seen in the stores' pretence of support for single women when in reality the seductive charms expected of female shop assistants in order to achieve sales were but the first step towards prostitution.[24] The early petit-bourgeois movement thus stressed, in a way that was inevitably coloured by its own ideology and prejudice, two important points which were to influence the future discourse on department store theft, firstly, the role of woman as the most frequent department store customer and, secondly, the social consequences of modern consumer society.

Woman: a creature subject to temptation

At the end of the 1890s, all the participants in the discussion agreed that the growing importance of the department stores resulted from their attractiveness to women. Such 'amazing creations like the huge department store are made of the flesh and the blood of woman. That is the secret of their success'.[25] An understanding of the predominantly

male line of argument suggests that the department store combined two female stereotypes for commercial purposes, the picture of the caring wife and mother on the one hand, and the image of the vain and fashionable woman on the other.

Initially, the woman was always attracted by the low prices and special offers which were the constant theme of advertisements. Thus, shopping in the department store seemed to be the sacred duty of a woman who was supposed to run her household as economically as possible. The 'loss leader' system was criticised so severely by the lower middle-class movement because it exposed the ambiguities of the commercial economy. On the one hand, it intensified price competition and challenged the regulated economy to which the petit-bourgeois movement was committed. On the other, it helped women play their household role by saving their husband's income. This was the main reason why these companies started to open food halls on their upper floors in 1892. Fresh food, as well as mass-produced food, was offered at exceptionally low prices.[26] The department store appeared to meet in a reasonable fashion the need for irregular purchases, such as textiles and furniture. The emphasis on low prices in this new kind of retailing thus connected with the attachment to thrift in a traditional system of values, an attachment acceptable not only to housewives but also to many underpaid single women.

Women, 'addicted to cheapness'[27] as it was put at the time, found themselves confronted by the modern high-powered sales techniques of the department store, which had never previously been experienced in such a concentrated form. The department store owner now

> has the woman caught in the trap. Now he can trust in the allure of a thousand ringed fingers tempting her to buy something, and he can be certain that even the most thrifty of housewives, who has come because of an unprecedented bargain, will go home weighed down with items she does not need.[28]

The female customer entered into an aesthetically constructed world of merchandise; she was led into a new, hitherto unknown relationship with goods for sale. In contrast to the medium-sized fashion shop, where most of the products were carefully kept either on shelves or in cases and boxes which were taken out only on request, the department store's goods were openly displayed, available for the customer to see without any obligation to buy. The nature of shopping changed, as the vastness and splendour of the new stores gave it a new quality. The department store as a whole however, continued to be divided into a number of smaller departments which were managed independently with individual tills, the old-fashioned counter now becoming merely a small cash desk. Shop assistants were plentiful, attending to the goods

and maintaining direct contact with the female customers. Self-service did not exist, the customer had to point out the desired product to the saleswoman, get a receipt in order to pay at the corresponding till and then finally receive the chosen item. This system had been practised by the hire purchase bazaars since the early 1880s, but they had only offered a limited choice of products, and it was the department store that presented a wide range of goods in a new and seductive fashion. The department store was originally created to exploit the need for basic requirements, only to abuse those needs subsequently in order to encourage mass consumption. The aim was to create new needs, to stimulate the desire for something new, something more.[29] Women in particular were confronted with the conventional image of the beautiful and elegant woman, an image most middle-class women could imitate only through considerable financial sacrifices. Once established, these new requirements began the process which forms the basis for mass consumption and affluence in the present day. The 'loss leader' system lost its significance for new companies from the turn of the century, as the act of shopping itself became the essential experience. It became an expression of the new lifestyle characterised by modern mass consumption.[30] In using tempting displays to stimulate the desire to purchase, the department store represented the increasing importance of means over ends.

This system directed at the stimulation of needs required new inner restraints, because of the fundamental discrepancy between an individual's resources and his or her potentially inexhaustible demand. These restraints had to rest on individual self-discipline, and on the ability to recognise the constraints of household expenditure, when faced with a world of exciting goods for sale. Self-control was often unsuccessful. Many people outside the petit-bourgeois movement argued that the department stores' powers of seduction were the main reason for the increasing number of thefts there:

> Desire is stimulated by the quantity and variety of the products exhibited before the public. This same desire is further excited by the fact that, particularly at peak business hours, nobody watches over the goods placed so temptingly close to the customers. Theft is aided by the mass of customers who, albeit unknowingly, thus become accomplices.[31]

However, the question of whether it was the department stores themselves that were responsible for the thefts became less important after the turn of the century. The reasons for this change were not only to be found in the fact that many paid less attention to criticisms presented by the petit-bourgeois movement or in the increasing social acceptance of the department store from the late 1890s. It was also pointed out that

people did not steal in department stores alone but also at markets and fairs.[32] The changing social character of shopping was mentioned as well as a greater sense of discipline in spending and the lower frequency of theft amongst working-class women.[33] But the main argument seemed to be that German department stores, in contrast to their French counterparts, sold only for cash. As a consequence, indebtedness was virtually eliminated.

The second important argument against department stores' responsibility for theft was the existence of internal control measures, which had been improved steadily since 1898: 'Some of these great bazaars ... have set up their own police service and have employed private detectives, especially women, who patrol the shops in various disguises, to watch the customers and catch thieves when necessary.'[34] During peak business hours, regular policemen were also employed to guard the salerooms.[35] Detectives and shop assistants were instructed to be vigilant and keep a watchful eye on the customers. At the same time, the first internal security devices were introduced. Glass display cases established a new kind of separation without destroying the visual impact, the supervision by employees was improved with the help of mirror systems and, finally, valuable goods were kept securely.[36] Nevertheless, in comparison with the measures suggested by criminologists and psychologists, these precautions still seemed inadequate while some rationalisation measures, such as the establishment of central cash register systems from 1905 to 1906, served to diminish the effectiveness of supervision. In spite of all these measures, theft remained an evil that was tolerated by the owners of the department stores. They sought primarily to minimise the social consequences by treating the thieves leniently. The experience of shopping was considered more important than the prevention of theft by individuals. Delinquency was reluctantly accepted as an aspect of mass consumption: 'If we opposed an institution merely because it was unable to prevent theft, there would be only one radical means at our disposal: that is to say, the abolition of property.'[37] The dialectical connection between department stores and theft was recognised, but contemporary opinion supported the view that 'theft does not depend on the place of the crime, it is the thieves themselves who must be watched'.[38]

These thieves were mostly women, a surprising fact when statistics reveal that female crime was only one-fifth of the total.[39] Shops in general and department stores in particular were amongst the few public places where a woman was able to move freely, unaccompanied by her husband. The strong interest in female department store thieves has always been an expression of a male desire to control women and also an indication of male interest in what was supposed to be 'real'

female behaviour. It soon became apparent that the actual events, rather than being recorded accurately, were being integrated into a system determined by what was considered to be the norm and that this revealed more about the way men thought than it did about offences committed by women. This observation applies to the numerous scattered statements of middle-class critics, economists and contemporary journalists. It is applicable to an even greater extent in the case of the 'scientific' remarks of psychologists and experts on crime, which can only be understood as part of a discourse characterised by public prejudices and a very specific perception of reality. Science was in this respect an instrument of social power, not of enlightenment. The female thief was reduced to her gender, she was not perceived as an individual but as an object. She was considered a passive, but nevertheless an emotional and highly excitable, creature. Whilst the nature of man was accepted as being predominantly intellectual and rational, woman was reduced to her body, and was thus understood as a form of weak-willed reaction to external stimuli. A female thief once said that 'she had seen a large assortment of things lying on a table in a muddle. She thought someone had whispered into her ear, "Take it, take it!" Highly excited, she had felt compelled to pick up and conceal some children's clothes without thinking what she was doing'.[40] The offence was tempting not because of the stolen goods but because of the circumstances in which they were acquired. In this sense, the means were perhaps more important than the ends.[41] Female department store theft seemed to be a collective epidemic that was hard to fight because of women's compulsion to steal and because guards and security devices could be ignored:

> There were hundreds of women recognisable by their big, loose coats and their even more suspicious looking 'capes', who came to the department stores all the year round, year after year, just to steal. They looked around to see if some of the employees of a particular department were anywhere near or if they were momentarily idle, and whether or not the crowd was large enough for them to carry out their plan unseen. Normally they carried some so called 'pseudo purchases' with them, and while the shop assistant delivered the bargains to the till, the offenders stole a considerably more valuable item. Shortly afterwards they would disappear without paying.[42]

From the beginning, this phenomenon was of interest to neurologists because most thefts seemed to be aimless and the kind of goods which were stolen appeared to be so utterly arbitrary.[43] Initially they believed that department store theft might be a specifically female form of a physically compulsive act, which resulted from an excessive demand on the senses caused by the enormous range of goods offered at the

department stores. Although this was still seen as a necessary condition, the main reason seemed to lie in the essence of woman.[44]

However, this simple stimulus-response model was not considered to be completely satisfactory. It was obvious that many female department store thieves lived in sound financial circumstances, and that they therefore did not steal out of any real material necessity. Whilst poor living conditions and the intention to improve their situation were arguments enough to explain those offences committed by working-class women, the general seductive power of the department store alone was not sufficient to explain theft committed by middle-class women.[45] Neurologists and legal experts therefore asked themselves whether female department store theft might not be interpreted as, on the one hand, an expression of a kind of disease, presumably of a mental nature, or on the other hand, a product of female sexuality. Both ideas were based on a changing attitude towards the nature of woman. During the nineteenth century, medicine had assumed the physical inferiority of woman, but specific psychological features were increasingly added to this model which came to depend less on physical factors alone.

Diminished responsibility: the pathologisation of department store theft

The discourse relating to department store theft has always contained an element of astonishment. Theft seemed to be an atavistic element in the well-organised world of the German middle classes, the 'emergence of a long forgotten period in mankind's history, when the naked urge to take everything that could be useful was justified by nature'.[46] If department store theft had been occurring a few decades earlier, neurologists probably would have diagnosed kleptomania. However, in contrast to this earlier view of kleptomania as a disease of the wealthy, psychiatrists in the 1890s were beginning to deny the existence of an independent pathological mania for stealing, provided that there were no other symptoms of mental disease.[47] Psychiatrists, consulted in cases of theft by wealthy women, and reluctant to send them to prison, most frequently diagnosed neurasthenia, a chronic form of mental fatigue, or a specific form of hysteria. Both of these diagnoses held a common view of theft as a kind of impulsive act which could not have been caused by the temptations on offer in the department stores alone. Department store theft was usually interpreted as a criminal act, committed in a state of impaired consciousness, but rarely as a compulsive act. This also applied to cases of female thieves who suffered from prolonged mental problems such as mental deficiency. Whenever psychiatrists

published an article on the phenomenon of department store theft, their discussion went beyond narrowly medical issues. The behaviour of female thieves was always attributed to a mental disease, such as 'pathological confusion'. In the same way that middle-class retailers would not initially accept department stores as equal competitors, psychiatrists would not classify theft committed by wealthy women as ordinary crime. Only organised gangs or so-called professional thieves were thought of as 'real' offenders. Established experts were not willing to accept the notion of a scandalous new kind of crime, that is to say a theft committed without any apparent material necessity. Instead, department store theft was excluded from what was called the 'normal' behaviour of middle-class citizens. Psychiatrists believed that most female thieves were inferior beings in a moral, as well as a physical and psychological, sense. The discourse on temptation promulgated by the petit-bourgeois movement, journalists and economists, revealed the participants' prejudices against both the business practices of the department store and women. The pathologisation of department store theft by psychiatrists was an expression of their own hopes and fears rather than the result of careful analysis. Thus, most of the case studies dealing with female department store thieves tell us more about the power of scientific definition than about the reasons for a particular crime.

Neurasthenic women, most of them in their twenties or thirties, were frequently physically and emotionally exhausted by several pregnancies, diseases or tragic events:

> They had shown physical signs of serious anaemia and clear symptoms of emotional fatigue long before they committed the offence. They had complained about headaches and were hardly capable of doing their housework; they did not sleep well and had to rest frequently during the day. Contrary to their former frame of mind they became careless in carrying out their duties; they tended to be moody and irritable and, occasionally, could not force themselves to do their work; when time pressed, they carried out their duties hastily and superficially … . These women had never shown any signs of hysteria, nor had hysteria run in their families, they had on the contrary always been particularly good-natured, diligent and well-behaved people … . All these women showed similar behaviour patterns: they pulled themselves together reluctantly to do their shopping, during this time they also went to the department store where they actually bought some goods and, whilst waiting in a queue, 'lifted' certain other items, which were usually inexpensive. All the persons examined … offered the same excuse: because of the crowd and the bright lights they had become dizzy and had taken those items without thinking …[48]

In contrast, hysteria in women seemed to be a direct result of woman's physical nature:

> Almost every case shows hereditary disease of varying severity in the family; it can be proved that symptoms of hysteria, of a lasting or of a periodic kind, had been diagnosed long before the theft. Apart from the well-known symptoms of sudden rage, the disorders essentially connected with menstruation are attacks of acute anxiety and restlessness, of dizziness and a transient disturbance of consciousness. From the beginning, some patients did not remember their offence at all. When they were arrested, they were so utterly taken aback that they did not know what to say to the accusation of having stolen the items found on them. Some confessed to having stolen everything, although they had a receipt for part of the goods.[49]

However, the diseases diagnosed by psychiatrists were not always recognised by criminologists and lawyers. German criminal law at that time did not acknowledge the existence of a grey area between health and disease. In order to reach the verdict of 'not guilty', Article 51 of the German penal code insisted that consciousness must be disordered to such an extent that the accused was incapable of making a decision of their own free will. However, this kind of diminished responsibility did not occur in most cases of neurasthenic and hysterical women.[50] As a result, the majority of psychiatrists would appeal to the courts for leniency for their clients. However, following the conviction of a thief, a psychiatrist would only be able to bring about a reduction of the prison sentence, they could not prevent it. The introduction of a new legal term of 'diminished responsibility', which had been under discussion for some time in more general terms, appeared to be an acceptable solution. The offender had to be considered more thoroughly as an individual, temporary disorders had to be acknowledged, and a prison sentence could be replaced by a fine if desired.[51] However, this phenomenon must be examined within a wider context than the modern reform of criminal law. The fundamental inferiority of woman's nature was also stressed. It was argued at the time that this infantile creature, inferior both physically and psychologically, required a special status within the criminal law because, unlike a male criminal, she could not be considered responsible for her offences.[52] Professional motives were also relevant. 'Diminished responsibility' was a plea which was inevitably connected with an extensive psychiatric report, and it was suggested that all female department store thieves should be examined by psychiatrists.[53] Although thieves who were discovered but not reported were often handed over to their families to be handled privately, frequently by a type of 'house arrest', the intention was that psychiatry, because of its greater flexibility, could take over the role of the institutions of criminal law in cases of reported theft.[54]

But despite intensive debates at the beginning of the twentieth century and during the late 1920s, a plea of 'diminished responsibility' was

not legally acceptable in a criminal case. The definition seemed too vague and society's traditional demands for protection of property, personal security and the deterrent impacts of law were of paramount importance.[55] More moderate assessments of department store theft also failed, as the scientific discourse had already begun to adopt new concepts before the First World War. Department store theft was no longer seen as simply an expression of mental disease, it was also increasingly being regarded as a crime related to sexuality. After the First World War, Article 51 of the German penal code was applied less frequently to department store theft and the usual appeal to the courts for leniency gradually came to be based on a comparison with other forms of 'simple larceny', rather than on pathological evidence.[56]

Environment and stimulation: the sexualisation of department store theft

Despite an understanding of department store theft as the expression of a mental disorder or disease, the explanations given for this criminal offence were neither satisfactory nor reassuring. A problem remained, considerable numbers of women were stealing from busy department stores and hoarding the stolen items at home. These women were not deprived materially and consequently did not need the stolen goods at all. The pathologisation of department store theft merely provided a description without being able to show realistic possibilities of controlling the phenomenon. After the turn of the century, new hypotheses were investigated in which particular attention was given to the sexual background of this type of offence.[57]

The basis for this discourse was the seductive power, not only in an asexual sense, of the department store itself. Department stores were regarded as 'the clip joints of trade' by many retailers and any kind of purchase there gave rise to sexual allusions: 'Our female population, is so ripe for seduction (amusement), with respect to purchasing of course, for women seem to buy completely unnecessary little things so very often.'[58] The atmosphere in the salerooms was tense and sparkling and the presence of so many well-dressed women of marrying age was often referred to as an attraction in its own right.[59] The department store was part of the commercialisation and rationalisation of society, an expression of technical and organisational efficiency. At the same time, however, it also contained the opposite, namely the 'craving for sexual satisfaction; a kind of desire often lost in the worries of everyday life'.[60] In department stores people were not looking for goods alone, they were also looking for one another. Dressing in fine clothes and shopping had a larger purpose.

When this interpretation was taken into consideration, occasional observations on the remarkably high proportion of menstruating, pregnant or menopausal female thieves in the total number of department store thefts came to seem more important. This information was originally noted by French neurologists, but it was soon acknowledged in Germany too.[61] Some psychiatrists even thought that thefts 'were committed almost exclusively under the influence of menstruation or, rather, of the ovulation process. Some of the female offenders were a few months pregnant, one of them was eight months pregnant'.[62] The small number of these cases, had led to scepticism before the First World War, but the data were later seen to indicate the psychological character of department store theft in psychiatric terms. Some experts claimed that 63 per cent of the total of all female thieves were menstruating women, others cited a figure of 88 per cent.[63] As menstruation and pregnancy were regarded as times of higher sexual stimulation and arousal, it now seemed possible to classify department store theft as a special form of female sex crime. Whilst in the nineteenth century menstruation had been regarded as a characteristic of woman's physical inferiority, it now became the physical basis of abnormal behaviour. In 1908, Wilhelm Steckel, a Viennese psychologist, became a decisive influence in inspiring the discussion on the sexualisation of department store theft. He thought that the 'root of all cases of kleptomania was frustrated sexuality'.[64] According to Steckel, this could easily be demonstrated by looking at the choice of objects stolen. These were either sharp objects, like pencils or umbrellas, or things into which something could be inserted, such as stockings, gloves, rings or fur coats. Unimpressed by the variety of these goods, Steckel insisted that all these things were symbols of male and female genitals. Female department store thieves thus appeared to be 'frustrated women who lacked the courage or the opportunity for sexual satisfaction ... . What we are faced with is a transfer of emotions from sexuality to crime'.[65] This interpretation resulted in a new explanation for the problem of department store theft which had far-reaching implications. It was no longer the multitude of different mental diseases that had to be investigated, but rather the sexuality of the thieves, and the way in which this predominantly female sexuality provided a common link between all the offences.

The former pathological approach was not altogether ruled out by the new explanation but it gradually lost its former significance. As female department store thieves had been considered as being 'subject to all kinds of nervous and psychotic diseases',[66] the experts were greatly relieved that the offence could now be understood primarily as a result of sexual problems between the sexes. Even though menstruation was only a periodic event, the psychoanalytic explanation had

long-term significance which also removed from the department stores the burden of responsibility for the thefts. Despite the fact that the erotically charged atmosphere of the department stores was considered a catalyst for the offences and although menstruation was the most likely time for theft, the fundamental reasons seemed to be of a more individual nature. As the pattern was always the same, that is to say a so-called 'transfer', new opportunities for individual therapy and general prevention were opened up. Female thieves were still considered prisoners of their bodies, and more specifically, of their sexuality, but instead of the fatalist diagnosis of physical and intellectual inferiority, this new view of the condition as a merely temporary deviation allowed for the possibility of individual recovery. In addition, this view supported changes in the field of criminology which argued that it was no longer only degenerates, people with hereditary diseases or 'born' criminals that were predestined for offences, but that any human being was capable of theft under certain circumstances.

This new interpretation was however, only accepted very gradually and was frequently mixed with the older ideas of the economically tempted woman or the thief suffering from diminished responsibility.[67] It was supported by new observations, which suggested that single women 'committed whole series of thefts just to get sexual satisfaction'.[68] This was the other side of the sexual explanation in which department store theft seemed to be an act of compensation directly aimed at sexual abreaction, at orgasm.[69] In this interpretation the great number of customers did not function as the thief's protection but as the basis of her sexual satisfaction. Although various new approaches and techniques such as psychoanalysis managed to produce a more detailed picture of the phenomenon, they too regarded the problem as basically one of sexuality. The notion of a 'desire for weakness' and the idea of 'socio-ethically weak individuals' are representative of this approach:

> The female thief identifies with the great mass of customers and seeks to get them in some way to act against the big store. Occasional suggestions of this kind are to be found amongst educated people. They constitute a kind of sexual compensation and should be seen as a form of sadism (even sabotage). Sadistic motives and the accumulation of stimuli are thus combined: a thirst for adventure and a sadistic desire to sabotage![70]

Although psychiatrists at the turn of the century were still investigating the motive for theft, their successors in the 1920s considered such a search to be a waste of time. They had freed themselves from the idea that department store theft had to have a rational explanation. It now seemed merely an act in which people surrendered to the demands of their sex drive. The extraordinarily high share of female thieves thus became plausible, because 'men have more opportunities to abreact in a natural and necessary way'.[71] In the late 1920s, the original attitude towards department store theft was regarded as outdated because the new interpretation of theft as a sexual crime had invalidated its significance: 'Interpreted in this way, the concept of department store theft has completely lost the significance and legitimacy it once held.'[72]

The trivialisation of department store theft

Both the pathologisation and the sexualisation of department store theft were expressions of its increasing individualisation. At the turn of the century, the image of the seduced woman contained various notions, for example, the seductive power of the department store, theft as a challenge to femininity and threats to the ideal of a household economy capable of living within its means. However, as time went by, although retaining a certain relevance, these different aspects gradually diverged. Problems resulting from the tempting offers available in department stores provoked a demand for 'education of the public mind'[73] which remained largely unanswered. At the end of the first decade of the twentieth century, the department stores were losing their exceptional market position in Germany: 'The aura has gone, at last the customers have realised that department stores do not give anything away, and it has became a business like any other.'[74] Not only the large stores, but also the particular shops catering for the middle classes, copied the main business principles of the department stores by renovating and extending their salerooms and by lowering their prices with the help of bulk purchasing. Although the department stores increased their market share, alternatives appeared which presented equally good opportunities for consumers. Although we lack research on consumer behaviour during this period, it is clear that during the successive periods of rising prices between 1900 and 1914, the pressure on bourgeois real income left less money for such products as clothing and furniture which lay at the heart of department store sales. The contrast with the preceding period of rapidly growing real income between 1895 and 1900 is clear. However, the competitors of the department stores achieved equality in more than just economic terms. After the turn of the century, shoplifting gradually increased in these shops too, though its significance was limited.[75] Nevertheless, department store theft gradually lost its position as an offence outside the definition of common crime. Simple shoplifting could no longer be regarded as exceptional. This attitude was reinforced by the store owners, who commented relatively rarely

on the problem of theft.[76] In contrast to what was then the current inclination of expert commentators to pathologise these offences, department store owners stressed that all thieves acted consciously. They believed that the main motive for thieves was the desire to enrich themselves whilst harming the stores.[77] Although this belief had been heard only intermittently before the First World War, the old ideas gradually lost their influence during the slow transition from department store theft to shoplifting and from pathologisation to sexualization. In 1920 it was said that the experts writing at the turn of the century,

> primarily described theft by economically well-situated individuals of high social positions; it was said that they concentrated on the uncontrollable desires resulting from pregnancy, as well as all kinds of hysteric tendencies, neurasthenic deviations and monomanic conditions, solely in order to explain department store theft by members of those groups. This appears today as an outdated approach. Department store theft itself continued, but as the large store became more popular and the sale lost its function as a social event, it was stripped of its romantic aura.[78]

At the same time, a change occurred in the groups of offenders which attracted particular attention. Instead of middle-class women aged between 20 and 40, the case studies now focused on younger people from both middle-class and lower-class backgrounds.[79] Although this was in part the result of a genuinely increasing share of younger and lower-class people in department store theft from the beginning of the twentieth century, it was also seen as a logical consequence of adolescence, a phase of rapid sexual change when a higher crime rate was to be expected. The discourse about crime thus shifted after about 1900, focusing on groups other than middle-class adult women, but it is not clear that the composition of department store thieves had changed as substantially as had the discourse.

The behaviour of these young thieves was clearly different from that of older offenders. Although studies revealed the intellectual deficiency of some offenders, the primary motive for the offence was material benefit, as the store owners pointed out. Thus the 'myth of indiscriminate theft'[80] was called into question. Further research in the mid 1920s led to criticism of the classic psychiatric perspective on department store theft. The serious problems of supply, above all food supply, in the decade of crisis from 1914 to 1923, combined with social insecurity amongst the old middle classes, led to the new concept of a dual motivation for female department store thieves. They seemed 'to act according to the principle of killing two birds with one stone. The enrichment motive joined the sexual motive, and then gradually replaced it'.[81] Consequently, department store theft was eventually stripped of its former exceptional status. As a sexual offence it was still an expression of specifically female criminality but, as a common crime for the purpose of personal material benefit, it lost its former sense of mystery and became an explicable offence. Department store theft, trivialised in this fashion, became just another ordinary crime.[82] The new concept of dualism was supported by German criminologists, male and female alike, at least until the 1970s, when it was challenged by the sociological approaches and critical contributions of the new feminist movement.[83] The discussion surrounding shoplifting as a mass phenomenon continues to reflect experts' particular concern with the sexual dimension of the offence, demonstrating the longevity of past ideologically charged interpretations.

Voyeurs of crime

This study has concluded with the trivialisation of department store theft in the late 1920s, when it became the mass phenomenon that we know today. With the assistance offered by the spread of self-service, the banal nature of the offence means that shoplifting is today virtually ignored except by researchers and those whom it directly concerns. The question of why people steal without any apparent necessity does not arouse public interest, even though the scientific discussion is more intense now than ever before. In 1900, the situation seems to have been different, for people were fascinated by both the new department stores and theft from them. Newspapers carried not only advertisements for the stores but also reports on thieves who had been apprehended and their remarkable offences. These escapades include the case of a woman who hid in a department store in order to be locked in overnight, only to be caught the next morning with her hoard of stolen goods because she had fallen asleep after drinking too much alcohol,[84] and that of the ecstatic woman whose hand grabbed the forbidden fruits like a flash of lightning and who thus lost her honour.[85] Reports of new ingenious techniques of theft were excitedly followed by the readers and the imaginative ploys of the criminals provoked amazement.[86] There was also a novel which was serialised in one of Germany's leading magazines. It told the story of a respectable man whose aristocratic fiancée slipped a piece of jewellery into his pocket without his noticing. He was caught and only saved from a prison sentence by a saleswoman who in due course became his devoted wife.[87] Nevertheless, department store theft was only briefly a topic of general public interest and, despite a considerable number of articles, an in-depth discussion of the phenomenon did not materialise.

The German middle classes became voyeurs who observed the incidents only to heap unreserved condemnation on the offenders. The public debate had little or nothing to do with reality. Only unusual stories were discussed, many of them imaginary or at least embellished. This public representation hardly differed from the way in which department store theft was later interpreted by the various specialists, who reinterpreted it according to their own ideas and took popular prejudices as the basis for scientific research. Whilst the department stores seemed for a while to represent the fulfilment of their customers' desires, the phenomenon of department store theft seemed to confirm the worst contemporary fears. As the department store gradually receded as an object of public fascination, so the discourse on department store theft grew less intense. The public had made its peace with the phenomenon long before science trivialised it. Only the most spectacular cases attracted public attention and even those were instantly forgotten once a new and more interesting topic arose. New ways had to be found to express new anxieties, such as fear of escalating crime, of the economic disintegration of society or of the fundamental nature and sexuality of woman. At the same time, the department stores were constantly employing new strategies, promising that their existence was of public benefit and promoting the notion of happiness as a purchasable commodity. From this period onwards, it becomes easy to identify many of the characteristic preoccupations and marketing strategies of our own times.

Notes

1. Data from *Polizeiliche Kriminalstatistik Bundesrepublik Deutschland. Berichtsjahr 1994*, Wiesbaden: Bundeskriminalamt (1995), p. 167; Jörg Michaelis, *Kriminologisch-kriminalistische Aspekte des Ladendiebstahls unter besonderer Berücksichtigung des Warenhausdiebstahls*, Frankfurt am Main: Peter Lang (1991), pp. 18–19.
2. *Mittheilungen des Zentral-Verbandes Deutscher Kaufleute (MZVDK)*, 9, 1898/99, no. 9, p. 7.
3. In my earlier study of department stores, I define them as capitalistic retail trading companies, dealing in different kinds of goods in uniform sales departments: Uwe Spiekermann, *Warenhaussteuer in Deutschland. Mittelstandsbewegung, Kapitalismus und Rechtsstaat im späten Kaiserreich*, Frankfurt am Main: Peter Lang (1994), p. 29. Using a wider definition, department store history in Germany would start in the 1830s and 1840s, when large shops had been founded especially in Berlin (Gerson, Hertzog, Israel, Jordan, Mannheimer). Uwe Spiekermann, *Geschichte des modernen Kleinhandels in Deutschland 1850–1914*, doctoral thesis, University of Münster, 1996, pp. 188–91, 311–12.

4. A. Leppmann: 'Ueber Diebstähle in den grossen Kaufhäusern', *Aerztliche Sachverständigen-Zeitung*, 7, 1901, p. 33.
5. Precise data can be found in Alfred Sauer, *Frauenkriminalität im Amtsbezirk Mannheim*, Breslau: Schletter (1912), p. 82.
6. Paul Dehn, *Die Großbazare und Massenzweiggeschäfte*, Berlin: Trowitzsch and Sohn (1899), p. 33; Leo Colze, *Berliner Warenhäuser*, 3rd edn, Berlin: Herman Seemann Nach. (1908), p. 72.
7. All quotations from Julius Hirsch, *Das Warenhaus in Westdeutschland; seine Organisation und Wirkungen*, Leipzig: A. Deichert Nachf. (1910), p. 116. See also Leo Katzenstein, 'Die Warenhausfrage', *Jahrbücher für Nationalökonomie und Statistik*, 85, 1905, p. 497.
8. Julius Hirsch, 'Die Bedeutung des Warenhauses in der Volkswirtschaft', in *Probleme des Warenhauses*, Berlin: Verband Deutscher Waren-und Kaufhäuser (1928), p. 60.
9. Kurt Boas, 'Über Warenhausdiebinnen, mit besonderer Berücksichtigung sexueller Motive', *Archiv für Kriminal-Anthropologie und Kriminalistik*, 65, 1916, p. 103, n. 1; Helenefriderike Stelzner, 'Warenhausdiebstähle der Jugendlichen und deren Äquivalente', *Zeitschrift für die gesamte Neurologie und Psychiatrie*, 62, 1920, p. 217.
10. Erich Wulffen, *Das Weib als Sexualverbrecherin*, Berlin: Dr P. Langenscheidt (1923), p. 77. Sebastian v. Koppenfels, *Die Kriminalität der Frau im Kriege*, Leipzig: Ernst Wiegand (1926), p. 36.
11. Schütz, 'Zum psychologischen Verständnis des Taschen- und Warenhausdiebstahls', *Archiv für Kriminologie*, 79, 1926, p. 245 (refers more to department store thefts than pickpocketing); Hans Bernd Thiekötter, *Die psychologische Wurzel und strafrechtliche Bewertung von Warenhausdiebstählen*, Bochum-Langendreer: Heinrich Pöppinghaus (1933), p. 1. Theft by department store employees began at the turn of the century but increased quickly, despite different types of supervision. See 'Unredliche Verkäuferinnen', *Deutsche Handels-Wacht*, 8, 1901, p. 36; Udo Baumgarten, *Die Bedeutung der Warenhäuser für die deutsche Volkswirtschaft*, Borna-Leipzig: Robert Noske (1911), p. 108; *Die Organisation des Warenhauses A. Wertheim*, Berlin: Zeitschrift "Deutsche Confection" (1907), pp. 19–20 and esp. Stelzner, 'Warenhausdiebstähle', p. 209. In South Germany this development was probably different (see Hermann Körner, *Die Warenhäuser. Ihr Wesen, ihre Entstehung und ihre Stellung im Wirtschaftsleben*, doctoral thesis, Heidelberg, Tübingen: Hermann Kirschner (1908), p. 147). Department store theft in Germany never acquired as great a significance as in the USA or in France. See 'Warenhaus-Diebinnen', *Archiv für Kriminologie*, 78, 1926, p. 200. Victor Mataja, *Großmagazine und Kleinhandel*, Leipzig: Duncker and Humblot (1891), p. 68.
12. Baumgarten, *Bedeutung*, p. 108; Colze, *Warenhäuser*, p. 74.
13. Hans Gudden, 'Die Zurechnungsfähigkeit bei Warenhausdiebstählen', *Vierteljahrsschrift für gerichtliche Medizin und öffentliches Sanitätswesen*, III. ser. 33, 1907, suppl. vol., pp. 64–5.
14. Werner Rubens, *Der Kampf des Spezialgeschäftes gegen das Warenhaus (mit besonderer Berücksichtigung der Zeit von 1918 bis 1929)*, Köln-Ehrenfeld: Max Klestadt (1929), p. 13.
15. *Stenographische Berichte über die Sitzungen der Bürgerschaft zu Hamburg im Jahre 1901*, Hamburg (1902), p. 452 (Blinckmann).

16. Dehn, *Großbazare*, p. 27.
17. See for example 'Ein Brief an die Feinde der Waarenhäuser', *Hamburger Fremdenblatt*, 1898, no. 51 fr. 02.03., 4th suppl., Staatsarchiv Hamburg (STA Hbg.) 331–3 Politische Polizei (PP) S 6750, vol. 1.
18. Spiekermann, *Warenhaussteuer*. Käthe Lux, *Studien über die Entwicklung der Warenhäuser in Deutschland*, Jena: Gustav Fischer (1910), p. 3, draws a direct line between department store theft and new laws against department stores.
19. *Stenographische Berichte über die Verhandlungen der durch Allerhöchste Verordnung vom 22. December 1897 einberufenen beiden Häuser des Landtages. Haus der Abgeordneten*, vol. 3, Berlin (1898), p. 2038 (Brockhausen). Cf. 'Die Umsatzsteuer im preußischen Abgeordnetenhause', *MZVDK*, 8, 1897/98, no. 11/12, pp. 1–2; Johannes Steindamm, *Beiträge zur Warenhausfrage*, Berlin: E. Ebering (1904), pp. 13–14.
20. Dehn, *Großbazare*, p. 33. E. Suchsland, *Schutz- und Trutzwaffen für den gewerblichen Mittelstand in seiner Notwehr gegen die Konsumvereine und Warenhäuser*, 2nd edn, Halle an der Saale: Buchhandlung des Waisenhauses (1905), pp. 67–8.
21. *Stenographische Berichte* (1902), p. 709.
22. See for example Robert Wilhelms, *Die Waarenhäuser und ihre Bekämpfung*, Strassburg im Elsaß: Schlesier and Schweikhardt (1898), p. 5.
23. E. Suchsland, *Die Klippen des sozialen Friedens. Ernste Gedanken über Konsumvereine und Warenhäuser*, 6th edn, Halle an der Saale: Buchhandlung des Waisenhauses (1904), p. 30. Liberal critics took over this argument from the petit-bourgeois movement and called for the adequate education of all wives, see *Stenographische Berichte über die Verhandlungen der durch die Allerhöchste Verordnung vom 23. December 1895 einberufenen beiden Häuser des Landtages. Haus der Abgeordneten*, vol. 2, Berlin (1896), p. 1601 (Eynern). Working-class women were rarely mentioned in this discussion. They were considered to be hardly able to listen to reason, to be bad customers or lost to the consumer co-operatives.
24. 'Zur Warenhausfrage', *Deutsches Blatt*, 1899, no. 4 fr. 14.01., suppl., STA Hbg. 331–3 PP S 6750, vol. 2; Hermann Nickel, 'Die Warenhäuser als Zerstörer des Familienlebens', *Deutsches Blatt*, 1903, no. 93 fr. 21.11., STA Hbg. 331–3 PP S 6750, vol. 3. The employment of unmarried women was mentioned in *Stenographische Berichte über die Verhandlungen des Preußischen Hauses der Abgeordneten, 20. Legislaturperiode, I. Session 1904/05*, vol. 1, Berlin (1904), p. 1322 (Hammer). Moral danger was the theme of 'Das Loos der weiblichen Angestellten in den Waarenhäusern', *MZVDK*, 11, 1900, no. 12, p. 4; J. Henningsen, *Beiträge zur Warenhausfrage!*, Hamburg: Deutschnationale Verlagsanstalt (1906), pp. 13–14; Regina Schulte, *Sperrbezirke. Tugendhaftigkeit und Prostitution in der bürgerlichen Welt*, Frankfurt am Main: Syndikat (1979), pp. 99–102.
25. *MZVDK*, 9, 1898/99, no. 5/6, p. 15. Valid statistics or estimates on the real share of women customers of the department stores did not exist, but figures of 90 per cent or 99 per cent (Georg Buß, 'Das Warenhaus. Ein Blick aus dem modernen Geschäftsleben', *Velhagen & Klasings Monatshefte*, 21(1), 1906/07, p. 612) were definitely an overstatement. Male theft was not investigated or discussed.

26. Uwe Spiekermann, 'Rationalization as a permanent task: the German food retail trade in the twentieth century', in Adel P. den Hartog (ed.), *Food Technology, Science and Marketing. European Diet in the Twentieth Century*, East Linton: Tuckwell Press (1995), pp. 200–220.
27. 'Einfluß der Frauenwelt', *MZVDK*, 7, 1896/97, no. 13, p. 3.
28. 'Tietz und Wertheim', *Die Zukunft*, 32, 1900, pp. 537–542, here p. 542.
29. J. Wernicke, 'Der Streit ums Warenhaus', *Deutsche Wirtschafts-Zeitung*, 8, 1912, col. 929.
30. Even opponents were attracted by the luxury of department stores. Franz Heise jr, 'Ein Stündchen im Warenhause. Betrachtungen', *Deutsches Blatt*, 1904, no. 143 fr. 28.05., suppl., STA Hbg. 331–3 PP S 6750, vol. 3.
31. Leppmann, 'Diebstähle', p. 5. Cf. 'Berliner Gesellschaft für Psychiatrie und Nervenkrankheiten. Sitzung vom 10. Dezember 1900', *Archiv für Psychiatrie und Nervenkrankheiten*, 35, 1902, p. 264 (Rothmann); 'Diskussion über H. Gudden: Über den Geisteszustand bei Warenhausdiebstählen', in *Verhandlungen der Gesellschaft Deutscher Naturforscher und Ärzte. 78. Versammlung zu Stuttgart*, vol. 2, Leipzig: F.C.W. Vogel (1907), p. 334 (Haenel).
32. Adolf Braun, *Die Warenhäuser und die Mittelstandspolitik der Zentrumspartei*, Berlin: Expedition der Buchhandlung Vorwärts (1904), p. 8.
33. Körner, *Warenhäuser*, pp. 34–6; Leopold Laquer, *Der Warenhaus-Diebstahl*, Halle an der Saale: Carl Marhold (1907), p. 38; Thiekötter, *Wurzel*, pp. 34–5. For an opposite view see Magnus Biermer, 'Warenhäuser und Warenhaussteuer', in *Handwörterbuch der Staatswissenschaften*, 3rd edn, vol. 8, Jena: Gustav Fischer (1911), p. 600.
34. Dehn, *Großbazare*, p. 33.
35. *MZVDK*, 9, 1898/99, no. 11, pp. 5–6.
36. Hans Gudden, 'Die Zurechnungsfähigkeit bei Warenhausdiebstählen', *Neurologisches Centralblatt*, 25, 1906, p. 922; Emil Raimann, 'Über Warenhausdiebinnen', *Monatsschrift für Kriminalpsychologie und Strafrechtsreform*, 13, 1922, p. 317; Wulffen, *Weib*, p. 77; Thiekötter, *Wurzel*, p. 1.
37. Braun, *Warenhäuser*, p. 8.
38. 'Diskussion über H. Gudden', p. 334 (Kron).
39. *Kriminalstatistik für das Jahr 1903*, Berlin: Puttkammer and Mühlbrecht (1906), esp. pp. II.30–II.60.
40. Longard, 'Die geminderte Zurechnungsfähigkeit', *Monatsschrift für Kriminalpsychologie und Strafrechtsreform*, 3, 1906/07, p. 89.
41. W. Försterling, 'Genese einer sexuellen Abnormität bei einem Falle von Stehltrieb', *Allgemeine Zeitschrift für Psychiatrie und psychisch-gerichtliche Medizin*, 64, 1907, p. 951.
42. Laquer, *Warenhaus-Diebstahl*, p. 36.
43. Gudden, 'Zurechnungsfähigkeit', p. 922.
44. P.J. Möbius, *Ueber den physiologischen Schwachsinn des Weibes*, 9th edn, Halle an der Saale: Carl Marhold (1908), pp. 76–80.
45. Breckman's aphorism 'Bourgeois women were analyzed, working-class women criminalized' (Warren G. Breckman, 'Disciplining consumption:

the debate about luxury in Wilhemine Germany, 1890–1914', *Journal of Social History*, 24, 1991, p. 496) is neat but incorrect.
46. Schleich, C.L., quotations in Laquer, *Warenhaus-Diebstahl*, p. 6.
47. Eugen Wilhelm, 'Ein Fall von sogenannter "Kleptomanie"', *Archiv für Kriminal-Anthropologie und Kriminalistik*, 16, 1904, pp. 160–64.
48. Leppmann, 'Diebstähle', p. 32.
49. Gudden, 'Zurechnungsfähigkeit', pp. 66–7.
50. Nevertheless some neurologists spoke of the 'temporary diminished responsibility' of women, e.g. Karl Birnbaum, 'Die kriminelle Eigenart der weiblichen Psychopathen', *Archiv für Kriminal-Anthropologie und Kriminalistik*, 52, 1913, pp. 364–77, esp. p. 377.
51. A. Leppmann, 'Gutachten über die strafrechtliche Behandlung der geistig Minderwertigen', in *Verhandlungen des Siebenundzwanzigsten Deutschen Juristentages*, vol. 3, Berlin: J. Guttentag (1904), pp. 136–52, esp. pp. 140–41; Gudden, 'Zurechnungsfähigkeit', p. 69 (Strassmann); Rudolf Ganter, 'Der Warenhausdiebstahl', *Die Gegenwart*, 1911, pp. 64–5.
52. Paul Julius Möbius, 'Pariser Warenhaus-Diebinnen', *Illustrierte Zeitung*, 120, 1903, p. 250. Cf. 'Diskussion über H. Gudden', p. 335 (Gudden).
53. Laquer, *Warenhaus-Diebstahl*, pp. 26, 35.
54. Raimann, 'Warenhausdiebinnen', pp. 320–21 pleaded for the care of thieves within the family.
55. For counter-arguments see Longard, 'Zurechnungsfähigkeit'.
56. The changing discourse has been reflected in Wulffen, *Weib*, p. 75; Schütz, 'Verständnis', p. 251; Thiekötter, *Wurzel*, pp. 38–46.
57. The background of the new discourse was formed by the establishment of modern sexology by Bloch, Ellis, Forel and Hirschfeld and by the new psychoanalytic sexual theory by Freud.
58. 'Stenographischer Bericht über die 12. General-Versammlung des Zentral-Verbandes deutscher Kaufleute', *MZVDK*, 10, 1899/1900, no. 1, p. 6 (Ledermann).
59. See for example Joseph August Lux, 'Das Warenhausfräulein', *Geschlecht und Gesellschaft*, 9, 1914, pp. 44–8.
60. Lothar Eisen, 'Psychologie des Warenhauses', *Geschlecht und Gesellschaft*, 8, 1913, p. 390.
61. The first 'extensive' (56 cases) examination was carried out by Legrand de Saulle, see Mechtild Rotter, 'Die Frau in der Kriminologie', *Kriminalsoziologische Bibliographie*, 6, 1979, vol. 23/24, p. 98, n. 3. The relationship between menstruation and department store theft was also emphasised by Paul Duboisson, *Die Warenhausdiebinnen*, 2nd edn, Leipzig: Hermann Seemann Nachf (1904), pp. 135–46. For Germany cf. Boas, 'Warenhausdiebinnen', esp. pp. 113–14.
62. Gudden, 'Zurechnungsfähigkeit', p. 66. Birnbaum, 'Eigenart', p. 366, observed 'that the criminal impetus was absent beyond this phase'.
63. Cf. Koppenfels, *Kriminalität*, pp. 7–8; Käthe Schmitz, *Die Kriminalität der Frau*, Bochum-Langendreer: Heinrich Pöppinghaus (1937), p. 58. Contrary to this view: Wulffen, *Weib*, p. 76.
64. Wilhelm Stekel, 'Die sexuelle Wurzel der Kleptomanie', *Zeitschrift für Sexualwissenschaft*, 1908, p. 589.
65. Ibid., p. 596.
66. Boas, 'Warenhausdiebinnen', p. 116.

67. Urgent proofs of this were Birnbaum, 'Eigenart'; Boas, 'Warenhausdiebinnen'.
68. A.H. Hübner, *Lehrbuch der forensischen Psychiatrie*, Bonn: A. Marcus and E. Webers (1914), p. 665. Kurt Boas, 'Über Hepephilie. Eine angebliche Form des weiblichen Fetischismus', *Archiv für Kriminal-Anthropologie und Kriminalistik*, 61, 1913, pp. 103–32, discussed this problem in connection with fetishism.
69. Schütz, 'Verständnis', p. 251.
70. Schlör, 'Zur Psychologie des Taschen- und Warenhausdiebstahls', *Die Umschau*, 31, 1927, p. 348.
71. Schütz, 'Verständnis', p. 252.
72. Schlör, 'Psychologie', p. 347. Raimann, 'Warenhausdiebinnen', esp. p. 306, criticised this form of sexualisation.
73. *Stenographische Berichte über die Sitzungen der Bürgerschaft zu Hamburg in Jahre 1897*, p. 2055 (Arendt).
74. Deutsche Confektion fr. 07.06.1898, quotations in J. Wernicke, *Wandlungen und neue Interessen-Organisationen im Detailhandel*, Berlin: Herm. Walther (1908), p. 29.
75. Cf. J. Wernicke, *Kapitalismus und Mittelstandspolitik*, Jena: Gustav Fischer (1907), p. 564.
76. At least until 1920, department store theft was not mentioned in the annual report of the Association of German department stores.
77. Konfektionär fr. 22.11.1906, quotations in Laquer, *Warenhaus-Diebstahl*, pp. 25–6.
78. Stelzner, 'Warenhausdiebstähle', p. 216. The thieves were furthermore considered as psychopathic, but not mentally ill; see Thiekötter, *Wurzel*, p. 18.
79. Already Laquer, *Warenhaus-Diebstahl*, pp. 27–9, mentioned this important group of thieves.
80. Stelzner, 'Warenhausdiebstähle', p. 212.
81. Schütz, 'Verständnis', p. 250.
82. From a background in sociopsychological approaches see Sophie Kunert, *Straffälligkeit bei Frauen, ihre Entstehung und Beschaffenheit*, Leipzig: Johann Ambrosius Barth (1933), pp. 35–43.
83. See Schmitz, *Kriminalität*; Clemens Ameluxen, *Die Kriminalität der Frau seit 1945*, Hamburg: Verlag für kriminalistische Fachliteratur (1958), pp. 16–18; Wolf Middendorf, 'Die Kriminalität der Frau im Wandel. Historische und kriminologische Aspekte', *Zeitschrift für die gesamte Strafrechtswissenschaft*, 91, 1979, pp. 192–223; Michaelis, *Aspekte*. In general see Dietlinde Gipser, 'Kriminalität der Frauen und Mädchen', in Hans Joachim Schneider (ed.), *Die Psychologie des 20. Jahrhunderts, vol. XIV*, Zürich: Kindler (1981), 437–51.
84. 'Was in den Großbazaren Alles gestohlen wird', *Das kleine Journal*, 1898, no. 352 fr. 22.12., STA Hbg. 331–3 PP S 6750, vol. 1.
85. Buß, 'Warenhaus', p. 612.
86. *Die Organisation*, pp. 17–19; Klaus Strohmeyer, *Warenhäuser. Geschichte, Blüte und Untergang im Warenmeer*, Berlin: Klaus Wagenbach (1980), pp. 166–72.
87. Margarete Stahr, 'Aus dem Warenhaus!', *Illustrirte Zeitung*, 121, 1903, pp. 39–40, 77–8.

Cathedrals of Consumption

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