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Governing Excess: Boxing, Biopolitics & The Body

Theoretical Criminology

Jennifer J Hardes

Canterbury Christ Church University

Abstract

During the late-eighteenth to late-nineteenth centuries, practices of duelling and prize fighting were criminalized in Britain, while boxing remained legal. Through a genealogical method, this paper locates discourses, primarily law, medicine, policing and science, to trace these mechanisms of criminalization and legalization. Focusing on the jurisdictions of the United Kingdom and the United States, I argue that the legalization of boxing did not simply emerge as a part of a 'civilizing process'. Rather, I explain these processes of criminalization and legalization in the context of biopolitical rationalities of governance. In contrast to its contemporaries, boxing was rationalized as a scientific 'sport' that fitted with wider biopolitical visions of public health and well-being: allegedly it did not breed violence or threaten the public peace but was instead practised by skilled technicians. However, the biopolitical management of human life within rational and scientific form comes at a price: life's ontological need for expression, and the drive to experience and witness boxing's corporeal excesses remains a ghostly presence threatening to undo the sweet 'science'.

Introduction

Duelling, prize fighting and boxing were contested practices in a period of rapid social change. Judicial duels, otherwise known as ‘trials by combat’, were publically sanctioned modes of punishment within a theological worldview that proclaimed the accused innocent or guilty in the eyes of God and the sovereign. Modern duels, imported from the Continent in the late sixteenth century, succeeded judicial duels that concluded in England in the fifteenth century. Though technically a criminal act, upper-class gentlemen partaking in modern duels were typically granted exceptional status in law, avoiding conviction. If duellists were punished, it was usually with a monetary fine. Prize fighting, by contrast, while gambled on by these moneyed classes, was considered an activity of the delinquent lower social echelons and held a firm ‘criminal’ status in law. Changes to the English law in the late-eighteenth to late-nineteenth century saw the criminalization of duelling between ‘men of honour’ and a final stamp down on the ‘brutal’ custom of prize fighting. However, one activity, ‘boxing’, never did encounter the law in the same way.

Through a genealogical approach to historicizing crime and the construction of criminal subjects (e.g. Garland, 1997, 2014; Rafter, 2005), I explore how boxing plausibly circumvented criminalization and emerged as a legitimate ‘sport’, in contrast to duelling and prize fighting, which were cast as criminal and excessive. I aim to locate the discourses of law, medicine, policing and science to trace these processes of criminalization and legalization. As Foucault (1991: 82) writes: “The search for descent is not the erecting of foundations: on the contrary, it disturbs what was previously thought immobile; it fragments what was thought unified; it shows the heterogeneity of what was imagined consistent with itself.” Genealogy does not endeavour to produce a ‘true’ narrative, though it ought to be credible and uphold the rigours of historical research evidence (Castel, 1994). I selected historical evidence with the intent to present a

plausible story about the development of boxing with this genealogical aim in mind. I drew on pamphlets, news items, popular literature along with legal cases and statute from the late-eighteenth-century to the present day, across the jurisdictions of the UK and the USA, to construct this genealogy. Analyzing archival and historical documents genealogically demonstrates that the rationalization of boxing is not an inevitable result of historical processes. I do not argue as others have elsewhere that boxing, and thus subsequent practices of mixed martial arts (MMA), emerged as part of a long-term historical, ontologically dialectical civilizing process (Elias, 1986; Dunning, 1990; Sheard, 1997; Brent & Kraska, 2010). Instead, I aim to understand how processes of criminalization and legitimation emerged amongst contested knowledges produced through discursive regimes.

I argue that boxing was justified because it mapped onto, and attempted to contain itself, within the scientific rationalities developed throughout the late nineteenth and early twentieth centuries. Three key developments made this possible. The first was the secularization of medicine and the rise of a public health agenda. At the end of the eighteenth century, the ascent of medical science contributed to the setting that enabled boxing to materialize as a sanitized sport. The second was the rise of police sciences and its security agenda. These two discursive regimes emerged in a period wherein medical practitioners operated increasingly as uniting bodies that intervened at the level of the population rather than individual and, likewise, police emerged as key arbitrators of public health (Foucault, 2014). Finally, and most centrally to this paper, were the disciplinary formations forged by boxers: the ‘mundane technologies’ they employed, and the techniques they embodied (see Downey, 2007). Boxing was championed through its rationalization as ‘scientific’; it was technical, controlled, and thus compatible with a ‘biopolitical’ public health agenda. This health agenda and the scientific rationale of boxing also

explicitly emerged within a liberalizing economic context that focused on the production of capital. Together these three things – the secularization of medicine, the rise of police sciences, and the scientization of boxing, sanctioned boxing as a sanitized practice that avoided criminalization, unlike its duelling and prize fighting counterparts.

The Secularization of Medicine and the Rise of Police Sciences

Medicine emerged amongst a widespread secular shift away from pre-Enlightenment religion and traditionalism towards scientific study. ‘Traditional cures’ exceeding rational judgment and empirical observation dissipated as medical practice turned into medical science. Its scientific development was particularly important, for it saw a ‘multiplication of doctors, new hospitals, free health clinics and increased consumption of treatment in every class of society’ (Foucault, 2014:114). As the scientific credibility of medicine rose, so too did doctors’ social status. Likewise, the role of medicine changed significantly. No longer simply an intervention in the lives of individuals, medicine was transformed into a focus on public health agendas that took the population as its target. The ‘well-being’ of society, as Foucault (2014) wrote, was as a central feature of modern medicine.

In keeping with their new-found role in public health governance, medical practitioners engaged in new modes of health calculation. Medical science intersected with epidemiological techniques of mapping to look at health and medicine as a collective strategy, rather than merely dealing with individual bodies (Broglia, 2013). Political arithmetic’s emergence as a new ‘Art of governance’ also shaped medicine because it made it possible to look at the ‘population’ and thus make the ‘...judicious parallel between the Body Natural and the Body Politik’ (Porter, 1986: 19). Significant political changes also took place as part of an overarching rationalization

of society. Medical doctor and philosopher, John Locke's, political liberalism was to become the bedrock of seventeenth and eighteenth-century politics, in the same way that Adam Smith's late eighteenth-century economic liberalism was to ground classical political economics. Feudal aristocracy's decline and capitalism's emergence reflected a shift in political governance from what Foucault defined as ruling over principalities or 'territory' toward governing more indirectly over 'populations'. This indirect management that Foucault (1999, 2008) termed 'biopolitical' required the cultivation of agentic individuals within the population whole. It required the creation of good liberal self-governing economic actors who could internalize the norms of the marketplace and those of moral and legal order. It was here that the two 'poles' of governance as Foucault suggested – of individualizing discipline and totalizing biopolitics - dovetailed one another, enabling the synonymous management of individuals and the wider population.

Political technologies such as the rise of statistics and political arithmetic were central to this new 'art' of governance: they enabled the population to appear as a target. Through these technologies, medical science found a unique role in society that brought together the art of healing with another art: that of security. Writing in the early nineteenth-century, medical practitioners began to use the terms 'medical jurisprudence', 'state medicine' and other concepts that increasingly linked medicine and security (Ryan, 1836; Wecht, 2005). Medical practitioners were also brought into the realm of justice as medical scientists as they engaged more closely with the law through the rise of forensic sciences in the late eighteenth and early nineteenth centuries.

If medical practitioners had as their new object the security of the population, so too did police have the population as its target. 'Police' here does not merely refer to the modern

institution of police associated with law enforcement. Policing instead developed as an art of managing a population's 'forces'; its focus was on the production and protection of wealth and the promotion and management of health, these two facets connected through the concept of 'well-being' (Foucault, 2007: 326, 328). Police governed 'men's coexistence with each other' (Foucault, 2007: 326), and were responsible for the 'sociality' of persons: individual well-being was equivalent to the state's strength (2007: 328/9). Policing thus fulfilled a biopolitical function, one that had to govern the individual subject whose actions were to be understood in relation to the activities of, and governance of, the wider population.

Medicine and policing were thus twin techniques of governance that assured 'public good', 'beyond tranquillity and good order': the police didn't just surveil and maintain this order but instead '...constituted a complete administration of the social "body"' (Foucault, 2014: 116). During the late eighteenth to the nineteenth-century, medical and police sciences formed a backdrop to the political landscape against which practices of duelling, prize fighting and boxing were torn down, and actively reconstructed.

Biopolitics and Excesses

Where the development of medical and police sciences map onto a Foucaultian account of biopolitics, Roberto Esposito's work adds another layer of meaning (2008, 2010, 2011). He agrees with Foucault that biopolitics is a mode of power developed from a security agenda focusing on the protection of life. However, from Esposito's vantage, biopolitics is not so different from sovereign modes of governing. Instead, sovereignty and biopolitics share a central political logic, referred to as 'immunization', that seeks to protect and shelter life from the excessive obligations of community. The aim of governance in whichever form it takes is to

‘immunize’ individual life, sheltering it “from an unbearable excess’, writes Esposito (2006: 28). Historically shifting modes of governance – from sovereignty, to discipline, to biopolitics - evolve to curb ‘excesses’ that threaten individual human life. ‘Excess’ here refers to types of knowledge (e.g., theological/God, spiritual, magical); physical practices (e.g., corporeal, animal, religious.); dangers posed by others in one’s community (e.g., violent, criminal subjects); and political regimes that also endanger the individual (e.g., totalitarian). Each of these excesses risks the protection of individual units of human life within a political community and threatens the stable ‘order of things’.

The stable order of things is historically and progressively expanded to protect individual life within a common mode of being. It is not a natural order but, instead, has taken root through the construction of ‘scientific progress’ and the ‘civilization of society’, made possible through the descriptive containment of concepts, the legitimation of ways of governing, and the fixing of specific forms of ‘being’ to morality (i.e. the discursive use of concepts to create a normative moral order). Bringing Foucault and Esposito together, one can say that throughout the historical formations of sovereignty politics and biopolitics, the stable order of things has been assembled through: the securitization of society; the promotion of population health and well-being; and the individualization of techniques of governance that creates disciplined subjects. Political liberalism and neoliberalism are examples of governmental regimes that actively construct closures around subjects through personhood, property and rights in the name of ‘protection’. Said protection, however, divides us from one another in increasingly immunized ways at the expense of belonging to the wider community. This backdrop is vital for the current paper for several reasons. Biopolitics focuses on the well-being of the population and the securitization of this population from risk through the regulation and protection of individual life. Human

physical practices that had historically been morally and legally acceptable, were subject to newly emerging norms and ways of containing life's excesses to 'protect' life itself. Duelling, prize-fighting and boxing were among these practices.

Talking of excesses is also essential for at least three further reasons. Where the human body is both discursive and material, dominant meanings seek to contain it, but it also has an ontological need for expression. Excess helps us consider how political rationalities like biopolitics seek to construct and constrain bodily materialities. As Esposito (2006) notes, power is both protective and destructive; it negates life as well as enhances its development. Affect as excess cannot be expressed by discourse alone: it is extra-discursive (Massumi, 2002). 'The living body', writes Walby (2000) '...is excessive, unpredictable, [and] organized through unquantifiable forces of meaning and desire, as well as [having] complex, nonfunctional kinds of organic drive' (2000: 144).

Second, science as a discourse of progress is aligned with and is shaping of a governance rationality that attempts to curb excessive types of knowledge and material practices. Scientific 'progressiveness' is thus not a ready-made truth. 'Advancements' sometimes fail to 'civilize' and instead replicate problematic, unethical norms. The ascent of medical and police sciences and their emergent technologies helped rationalize boxing as that which was seen to curb excesses and create the right 'kinds of people' who could fulfil the promise of biopolitical governance, unlike duelling and prize fighting.

Finally, in Esposito's account at least, excess is vital for the development of what he calls an affirmative biopolitics. Life's ontological need for expression is curbed by biopolitics' fundamental feature: life's protection. Security is achieved at the expense of life itself (Esposito, 2008). One must, therefore, not only consider how powerful discourses shaped boxing's

legitimacy, but also how discourses yield to give space to certain forms of corporeal expression in controlled, sanitized form. This reflection is particularly salient given the need to balance immunization, the drive to protect life, and the parallel pull of community, the need to give life space to express itself. Excess, and therefore boxing bodies, thus have what Butler calls 'disruptive promise' (1991: 315).

Duelling and Prize Fighting as Excesses

Dealing with personal disputes in private was one challenging excess to which police sciences had to attend. Despite often leading to the death of at least one of the parties, duelling was, until the mid-eighteen-hundreds, granted an 'exceptional' status in law whereby a subject who killed an opponent in a duel was not typically convicted of murder (Peltonen, 2003; Jager, 2005; Banks, 2012). Despite reviling the practice of duelling himself, as the English philosopher, jurist, and social reformist Jeremy Bentham (1843) recognized, such private dispute resolution was regarded as a practice of gentlemen and a necessary way of filling a lacuna of law.

The decline of duelling and prize fighting was, arguably, in large part, due to the rise of medical and police sciences. Both medicine and policing sought to secularise society: health and justice became part of a moral public good that was an art of governing subjects as secular beings. Where duelling had once shared a lineage with God-given justice, it became simply a measure of justice between two all-too-human subjects.

Somewhat contrastingly, however, duellers remained threatened with a sacred form of punishment that would make the body profane: into late eighteen-hundreds religious convictions were often enough to steer persons away from duelling given the threat of bodily dissections that were becoming a problematic legal issue. A shortage of cadavers could not be sustained through

criminal bodies alone (see Frank, 1976) and changes in the US federal law passed in 1790 allowed judges to add dissection to the death sentence for murder. Dissection was intended to discourage socially disruptive crimes. In 1784 Massachusetts passed a law stating that ‘...a slain duelist would either be buried in a public place without a coffin or given to a surgeon for dissection’ (Tward & Patterson, 2002). Medicine was also in a secular transition period: many still believed that the dissection of the body after death was worse than dying because it would impede afterlife.

This secularization of crime and justice joined a shift towards the public distribution of justice that police sciences encapsulated. Despite garnering upper and middle-class patronage – including lawyers and doctors, senior members of government and prominent persons such as the English Prime Minister— duelling declined slowly. While the duel was, at one point, justified as a ‘safety valve’ and ‘regulator of aggression’ others described it as ‘despotic’ and ‘beyond’ law (Stone, 1965 cited in Andrew, 1980: 411). The development of a modern biopolitical state concerned with a security agenda applied to ‘each and all’ had to appear at least to abide by Weber’s (1919) claim that it had a monopoly on violence. Duelling was thus transformed from an excessive ‘art of manliness’ to a shameful act. Those of the upper ranks were to conform to democratic laws. Published in the *Edinburgh Magazine* and taken from Dr Boyd’s text ‘Justice of Peace’ in 1790 it was declared: duelling ‘tramples under foot every principle of law, reason, religion and nature’ (39). While duelling’s criminalization was heavily linked to egalitarian totalizing principles, it was also linked to individualizing modes of governance, the other ‘pole’ of biopower. One prominent thesis underpinning duelling’s decline was the replacement of the Enlightenment prospect of dying for honour with political liberalism’s immunizing tendency toward “self-preservation” (see Andrews, 1980).

Medical practitioners also entered the discussion of duelling, as medical science overlapped further with policing. In his significant 1803 text 'Medical Ethics' Dr Percival referred to Sir Francis Bacon's claim that 'A man's life is not to be trifled away; it is to be offered up and sacrificed to honourable services, public merits, good causes, and noble adventures' (Bacon, 1838: 88). Percival argued that the code of honour, underscored by nothing more than a 'private quarrel' ought not to be linked to an individual liberal subject but instead must be suitable for society. 'The healing art is a public good, beneficial to the poor as well as to the rich', wrote Percival, and duelling, as a private problem, could not be reconciled within this collective system (1803: 123).

In England, duelling was finally made a specific criminal offence in 1803 under The Statutes of George III, though this offence lacked application until later in 1844. Stell (1979) argues that this was when Prime Minister Peel revised army pension statute to deny widows of duellists pensions. Some cases have been cited as evidence that English law had never sanctioned duelling and that its subjects were convicted of murder if a party of the duel was deceased through the act. *R v Brown* (1993), for example, cites the case of *R v Rice* (1803), in which a subject was found guilty of murder for inflicting a fatal wound during a duel. However, Stell (1979) argues that the law was not generally applied and that duelling had been exempted; evidence is found in the October 1814 *Edinburgh Review* that professed: 'this law is a mere dead letter...no instance is known of the law being executed against any person for being engaged in a duel, fought in what is called a fair manner' (74).

Prize fighting, also known as pugilism or bare-knuckle boxing, which involved fighting between professionals who competed for their own money as well as for gambling men, also steadily declined during the nineteenth century. Before its transformation into the sweet science

of boxing, organized fighting was lucrative. It was also popular among those in positions of political and economic power. It, too, encouraged the settling of disputes between men of lower classes, outside and exceeding the law. Or, it inspired the fighting for prizes between these lower classes of men, as well as exciting the gambling excesses of men from higher society. Both aspects of prize fighting threatened public peace. Gambling's connection to divination through its irrational faith in risk-taking was also excessive (Ramey, 2015) and incompatible with rational choice Enlightened actors. Excesses of 'God, spirit, magic' were 'not generally understandable' through science (Harvey et al., 2014). Despite also being revered by some significant 'gentlemen' such as the US President Roosevelt, prize fighting was also not granted exceptional status in English law. An 1802 article 'Eulogy of Boxing and Cock Fighting' castigated bare-knuckle boxing's methods of '...hair pulling, head-butting, eye gouging, gut-kneeing, and neck throttling' (see Marren, 2013). It did not conform to the civilizing narrative of science but instead could be described as an 'incontinent manifestation of excess' (Woodward, 2007: 59). Indeed, the law also reflected this view. The English case of *R v Orton* (1878) stipulated that skilled sparring was not criminal but instances where parties fought '...till one gave in from exhaustion or injuries' constituted an illegal prize fight. Likewise, *R v Coney* (1882) also famously reasserted prize fighting's criminality. In a judgment that referred to a previous case of *R v Ward* (1872), which suggested that every fight containing an element of a violent trade of blows was illegal, *Coney* firmly established prize fighting as "a breach of the peace" (1882: 567).

Together, duelling and prize fighting became regarded as savage practices, which civilized governance mechanisms should manage and contain. These practices threatened to exceed the stable order of things: a society formulated on the population's health and well-being

and collective security. Deferring to the ‘animal’ part of man, these practices were improperly human.

The Science and Sanitation of Boxing

Where duelling and prize fighting were eventually criminalized, boxing, by contrast, emerged as a ‘public good’. The legal decision in *Coney*, since upheld in *R V Brown* (1993) and further fixed in the Reform of the Offences Against the Person Act (2015), reflected the view that boxing was “in the public interest”. Boxing did not “rouse angry passions” or “produce mischief” (*Coney*, 1882: 554). However, this construction and maintenance of boxing as publically valuable had to circumvent two problems. First, like its contemporaries, boxing had also been considered a sport of brutes. Medical practitioners’ labelling of head injuries from prize fighting in the nineteenth-twenties as ‘punch drunk’ syndrome could have threatened boxing’s public image (Clancy, 2006). Boxing thus had to be rationalized as a practice that was, on the contrary, a sport for gentlemen that promoted well-being. Where gentlemen had engaged in the ‘manly arts’ of duelling and gentlemen had also bet on prize fighters, boxing also had to distance itself from excessive, non-instrumental accounts of violence; it had to become a practice that would not threaten the established order of things (security, crime control, justice, and so on).

Arguably several things made this possible. The first was the ability of influential figures to distance boxing practices from these counterparts. This construction of boxing was not happenstance but instead emerged through shifting discourses in medicine and policing; through new knowledges constructed by medical practitioners, fighters themselves, promoters, those involved in policing, as well as media publishers. An obvious rationale for this scientific construction was economic vantage: the ability to develop and protect an income stream. Where

boxing had its roots in prize fighting practices, talks in the eighteen-hundreds between medical practitioners, prize fighters, as well as publicists turned to the scientific method of boxing that would move away from brutish slugging. They actively fashioned boxing as a sweet science of ‘sparring’ as opposed to ‘fighting’: the latter being an activity of brutes with the intent to harm and breach the peace; the former being an activity of men (predominantly), who engaged in civilized, scientific, rational processes of disciplining the body.

Many credit the scientific method to the American fighter, James Corbett, whose school of scientific boxing was born out of his win against popular fighter John Sullivan in 1892. His educated background and application of a scientific method earned him the nickname ‘Gentleman Jim’. As medical doctor R. C. MacDonald recorded, the scientific method would require two gentlemen to spar for ‘scientific mastery’ ‘without being compelled to undergo a long and arduous prize fight training’. Hard hitting and ‘slugging’, as it was known, was replaced with a quick and sharp blow:

If the fighter is “born, not made,”.... the opposite is true of the boxer. That our present system of so-called boxing is merely natural fighting is beyond the need of proof; and as fighting and scientific boxing are by no means necessarily conjunct, an experiment which separates them should be welcomed by all true amateurs. (MacDonald, 1892).

The aim was to ‘...show superior science’, wrote MacDonald. While ‘hard-hitting’ remained essential, there was a ‘material difference’ between this and ‘slugging’, between a ‘quick and sharp blow’ that demonstrated intellect of a ‘clever, gentlemanly set-to’, and ‘vicious swings’ that ‘were dealt with the desire to injure’. ‘Who can doubt that, when under the new rules men come together, each will do his cleverest work? Who can doubt that such a spirit will result in true science?’ (MacDonald, 1892).

Scientific boxing's sanitization was also important contextually. US Reformists of the Progressive Era wanted prize fighting abolished as it didn't reflect the country's aspirational middle-class values (Frisbee, 2011). Police and local governors in some US states supported the prize fights but were under pressure to enforce the law. The scientifically driven position of progressivist reformists further pushed boxing towards a cleaner, purer sport. On the other side of the pond, English prize fights weathered similar storms within a deeply entrenched class system. British public opinions of boxing also shifted after rule changes meant that boxing could also be promoted more openly in the mainstream media, and people felt they could support boxers (Frisbee, 2011). The similarity between UK and US jurisdictions is not surprising despite the different social contexts. Boxing emerged transnationally: boxing sites across the Anglosphere were connected '...but not in any structured or standardized fashion' (Taylor, 2013: 233). In both jurisdictions boxing's legal status was uncertain. Likewise, '...no one nation or city remained the hub of the Anglophone boxing world across this period' (Taylor, 2013: 233). Boxing was a 'culture of mobility', its entertainment spread across nations with fighters emigrating or travelling to compete (Taylor, 2013).

Scientific boxing not only established its practitioners as rational, intelligent subjects, but it also overcame another problematic for biopolitical governance and security regarding harm. Differentiating itself from fighting's 'instinct', boxing identified as an 'artificial method' crafted through study, practice, and above all, through the application of science itself (MacDonald, 1892). The separation of nature from science also distanced boxing from the negative anthropology that underpinned prize fighting engaged in by lower class brutes, and that eventually underpinned duelling, regarded as uncivilized. Science made boxers rational, human subjects – or 'proper persons' (Esposito, 2012) with corporealities that could enact expressions

of force through choice. This expression of human scientific boxers confined violence to the space of the ring, contra to cultural spill-over theory's warning that a fighter's innate violence would threaten the social order when he or she stepped outside the ring.

Contemporary technology studies scholars examining combat sports also argue that these practices reflect scientific processes rather than base instincts. Downey (2007: 221), for instance, depicts 'fighting techniques' as 'cumulative processes and tinkering with the body' whereby human physiology is 'plastic.' 'Ironically, combat sports, unlike many other sports, are often treated as limited versions of an allegedly natural human activity: fighting,' writes Downey (2007: 222), which is problematic because fighting is scientific and technical. Constructing boxing as scientific meant that violence was not regarded as the excessive violence of a natural man who would undo the proper social order; instead, it was man-made violence created through rational scientific means that could be moderated. Scientifically-made emotion – in this case, violent emotion- could be expressed in the ring not as a base animalistic instinct like that which was allegedly found in prize fighters or even perhaps in duellers - but as manageable human expression. This account is quite different from Norbert Elias's (1986) civilizing thesis, which considered boxing an outlet for aggressive tendencies innate in humankind, particularly in men whose virile masculinity led them to the fight. Instead, violence is not a natural concept. Science made emotion and constructed 'violence' in appropriate forms.

Mundane Technologies

Also referred to as 'invisible technologies' (Borgmann, 1984), mundane technologies were imperative in the formation of fight sports as human sports contained within rule-bound environments and practised by 'rational' subjects: indeed, 'the structure of the fighting space, the

standardization of clothing, and lightweight gloves' were mundane technologies that changed the landscape of boxing drastically (Downey, 2007: 201). Maintaining rule-bound behaviour and following safety precautions with the help of mundane technologies effectively undercut the view that boxers aimed to harm. Boxing gloves, known as 'mufflers', were introduced as part of the Broughton rules in 1743 and later the London Prize Ring rules in 1838 and the Queensbury rules in 1867, to differentiate bare-knuckle fighting from the sport of boxing, the uncivilized brawls of brutes from the competition of men. Fighter, John 'Jack' Broughton, regarded as the father of English boxing, introduced these rules after he injured another man in a fight that later led to the man's death. Broughton's rules were then developed into the London Prize Ring rules formed by the Pugilistic society in 1838. John C. Chambers, who established the Amateur Athletic Club, was also influential in shaping boxing as a "manly art" partaken in by gentlemen. Chambers and John Sholto Douglas (the Marquis of Queensberry) later revised these London Prize Ring rules to eliminate brutalism and potential bodily harm leading to the 1867 Marquis of Queensberry rules, which applied to amateur boxing. This framing of boxing as that which would test gentlemen in physical bouts marked a turning point from prize fighting's brutal history towards the science of boxing. Seen to protect boxers, the glove played a significant role in distancing boxing from its bloody legacy, shaping it in the interest of population health.

Despite the glove's apparent sanitization of boxing, it was still legally unclear where boxing stood. Where the 1878 *R v Orton* case had established prize fighting's illegality, it had also stipulated that the gloved hand would not place a fighter above the law. As Taylor (2013: 236) notes, a contest in 1889 between English and Australian heavy weight champions at London's Pelican Club was considered 'of an illegal character' despite the use of gloves, but the fighters were not convicted due to lack of evidence. Various other court cases between 1898 and

1901 also challenged boxing's legality but '...as one writer to The Times noted...so long as the "knock-out" is tolerated every glove contest tumbles on the verge of legality' (Taylor, 2013: 236).

Despite its legal ambiguity, medical and police sciences arguably provided a backdrop of well-being that made associations between sport training, health and population protection biopolitically necessary. As Braidotti summarises, there is a 'moral nature of technological tools as agents that can guide human decision making on normative issues' (2013: 41). The gloved hand held its own morality.

Introducing gloves to differentiate animalistic from human practices, however, had a somewhat different effect. The apparently mundane technology of the glove changed the sport of boxing in unintended ways (Gentry, 2001: 155). Rather than limiting knock-outs, the glove incited them. The glove also changed the embodied experience of the fighter. In the same way that 'shoes affect how we walk and the physiology of the foot; gloves convince humans that it is easy to hurt each other with blows from the hands' (Downey, 2007: 220). Introduced to 'appease critics', gloves made punching more effective, 'pleasing many spectators' who wanted to see the blood and gruel from the match (Downey, 2007: 215).

Other techniques also transformed fighters' bodies from sluggish and slow to technical and efficient. The creation of the boxing bag, the refinement of gym training spaces, as well as timings for bouts changed boxing into a regulatory sporting practice. The boxing ring itself was a technical artifice. Measuring 24-feet the ring had to be erected on the ground or a stage unlike spaces of the duel or prize fight that were informal, uncontained and conducted in a field or cobbled together in another private area. As writer George Bernard Shaw (1882) noted, '...a convention drew up by which it became practically legal to make a citizen's nose bleed by a

punch from the gloved fist, and illegal to do the same thing with the naked knuckles.’ ‘What has happened’, he reported, ‘...has been the virtual legalization of prize-fighting under cover of the boxing glove’. ‘This is exactly what public opinion desires. We do not like fighting; but we like looking on at fights: therefore, we require a law that will punish the prize-fighter if he hits us and secure us the protection of the police whilst we sit in a comfortable hall watching him hit another prize-fighter.’ In short, boxing did not end gambling and other divine and excessive practices: science sanitized boxing, transforming the boxer from animal to human. Boxers embodied the secular science and folded within themselves the ritualistic excesses that governance sought to contain. The boxer’s body was both scientific and religious; it was ‘quasi-sacrificial’ (Wacquant (1995: 492). Boxer’s physiology is refashioned ‘...into an ideal athletic tool, at least until deterioration exceeds their recuperative powers” (Downey, 2007: 220).

Emergent medical knowledge also resulted in medical policing. New techniques medicalized sports injury. Concussion, identified by autopsy, was linked to ‘slugging’ as slow boxing without technique, as opposed to technical, safer styles of boxing. As the physician Martland described in 1928, ‘punch drunk often affects boxers of the slugging type’ (p. 1103). Thus, mundane technologies that founded scientific boxing overlapped with medical advancements to frame technical conduct as superior, and to legitimize boxing as a social practice.

Mundane technologies also intersected with extraordinary technological advancements such as the printing press which helped promote fighters and facilitate their rising popularity. Fighters such as Gentleman Jim amassed support as their achievements were widely published. Newspaper coverage and its expanding circulation paralleling technological advancements through wired and then wireless communication contributed to the superseding of boxing over

prize fighting. Rule-bound forms of scientific boxing considered morally and socially acceptable grew as its promotion through newsprint generated broader interest in matches, and subsequently increased revenue. Stories of fighters added to the popular appeal of the sport and identities of boxers fed their media spectacle.

Boxing promoters were also economically invested in boxing's presentation as clean and gentlemanly. Publishers like Richard Fox, proprietor of the *National Police Gazette*, a paper that covered the popular sports like boxing and sold thousands of copies in the US, was hugely influential in boxing's status and economic success. Fox himself backed fighters and would put up money for bouts, with the popularity of the *Gazette* generating much revenue from sales. Fox's role in cultivating celebrity fighters garnered even more revenue as he could sell stories on those such as Sullivan throughout their fighting careers (Reel, 2006: 135). Those like Fox recognized that it was in their own, as well as in the broader social interest, to rationalize boxing as 'gentlemanly' to 'silence criticism' and maintain an income stream (Reel, 2006:124). Boxing's legitimation rested on the ability of those involved in its practice, promotion and governance to ensure the sport's regulation in the face of existing criticism, while also giving expression to fighters. It had to make space for constructions of violence - the grit that would 'sell' and that attracted boxers and those spectators who were gripped to follow them and to gamble on them. As Wacquant neatly puts it, 'the "sweet science of boxing" did not only emerge from pugilistic bare knuckles; those who wielded political and economic power also had to transition from the "flesh peddlers" of pugilism to "honest businessmen" (1998: 3).

From science back to slugging

The balance of grit and polished appearance was troublesome and difficult to maintain. Scientific boxing also received backlash, and public interest was conflicted. While boxing's containment of violence to the ring between consenting individuals was lauded, audiences demanded more visible and carnal forms of excess. This spectator-demanded excess has been interpreted as a desire for the viewing of violence. Writing in the 1800s, George Bernard Shaw even noted the spectators did not want to see skill defeating violence: they wanted to see violence drawing blood and pounding its way to a savage and exciting victory in the shortest possible time (the old prize fight usually dragged on for hours and was ended by exhaustion rather than victory). So did most of the judges, as well as the publishers. Fighters wanted a knock-out. Shaw, like others, noted the 'old hypocrisy of the gloved hand', that '...spares nothing but the public conscience'. People wanted a 'real' fight. The artificialness of scientific boxing distanced it from the carnal expressions that the spectating populace wanted to witness and feel themselves. Boxing thus had an economic as well as a social problem to resolve. To thrive as a business boxing had to sell itself with two diverging goals: it needed to satiate the excessive mass appeal of the blood sport of prize fighting but also had to satisfy middle-class morals. Clubs then tended to strike a balance between enforcing new rules including the gloved hand, while holding onto bare-knuckle prize fighting's heritage. In the 1892 fight between Corbett and Sullivan, the fighters agreed that "The gloves shall be the smallest the club will allow" (Naughton, 1910: 10).

One of the draws of sport that Shaw identified was its very unscientific, 'chance' like element. Even when one performs the 'miracles of "science"...', '...one of the fascinations of boxing to the gambler (who is the main pillar of the sporting world) is that it is a game of hardihood, pugnacity and skill all at the mercy of chance'. A craving for the divine or excess

spills out into public space like a carnal desire for forms of human interaction and being that are not representable within systems of rational governance. While the urge to roll back rules in boxing and other combat sports has been interpreted as a spectator-driven desire to view violence (Downey, 2007, 2014; Shaw, 1882), one could also understand this desire more broadly as a longing to see the art, rather than science, of combat. It is a desire to experience the excessive, affective form of intersubjective corporeal movement that codification and technical prescription may preclude and that immunizing governance mechanisms restrict (Esposito, 2008).

The scientization and sanitization of boxing – or what Elias called ‘sportization’ – was thus tied to the viewing public’s desire to see the sport and invest in it for viewing pleasure. This development was not however linear, and the sanitization also enabled the development of the professional sport of boxing alongside its newly acceptable amateur cousin. For example, in the US, John Y. McKane, chief of police at Coney Island, and a prize fighting enthusiast, was keen to bring professional fights to boxing clubs. These club matches were lucrative, but maintained their proper balance and avoided prosecution through advertisements that claimed they were ‘sparring for scientific scores’ (Somers, cited in Kim, 2010: 136). In England, bare-knuckle boxing became a derogatory term and instead the term ‘pugilism’ or ‘boxing’ was used to refer to professional fighting (Kim, 2010: 136-7). The rationalization of boxing through the amateur movement and the gloved hand paved the way for professionalism and the lucrative market economy of boxing to take off within legal limits.

Conclusion

Modern mixed or hybrid forms of martial arts now appear to have infiltrated the space of the boxing market economy. Mixed martial arts (MMA) generates vast revenues from fights that

promise combats between subjects in gladiatorial-like feats. While still scientifically sanctioned within a controlled fight space and timed bouts, ‘cage fighters’ now use even smaller grappling gloves than boxing had introduced and appear to offer ‘more brutal and less regulated forms of violence’ (Brent & Kraska, 2010). Brent & Kraska argue that MMA is expressive of a visceral reaction to a highly rationalized and regulated society. Arguably this conclusion is fitting with the thesis developed throughout this paper: the emergence of these new hybrid sports may be interpreted as symptomatic of a drive of life to exceed the biopolitical immunizing protection and regulation of life.

‘Professor in the Cage’, Jonathan Gottschall (2015), describes fights as ‘ritual combats’ engaged with by human and animal. They keep violence maintained in the social order. Describing human combat like a ‘monkey dance,’ he argues that humans, like animals, need ritual combats to settle disputes in ways that cannot be resolved through deferral to governance systems. Much like Elias’ view of boxing, and Brent & Kraska’s view of MMA, violence for Gottschall is an innate psychological drive that is curbed through a civilizing process that contains violence within normative and acceptable formations of expression. For Brent & Kraska, the emergence and popularity of MMA “represent(s) an ongoing dialectic between civilization and barbarism” (360). But, as I have argued, while one might conclude that the rise of MMA is expressive of a visceral reaction to a highly rationalized and regulated society, one might also conclude that the feelings and expressions of boxers and MMA practitioners, framed as violent, are not innate but are made. Where corporeal subjects are naturally excessive, these subjects are not necessarily innately violent nor ‘barbarians’ per se; instead, their intensities exceed the descriptive containment of concepts like violence. Violence is a construct used to capture some practices considered to exceed socially acceptable norms of conduct, and which

threaten to undo a logic of biopolitical governance that replicates the protection of the proper boundaries around persons (Esposito, 2008).

As a discourse, science contributes to the making of persons who are knowable and governable subjects. Scientific principles, technologies of governance, and mundane technologies construct and shape practices that are criminalized or legalized in a biopolitical context that foregrounds the well-being of the public and the subsequent control of violence and bodily excesses. Mundane technologies played a significant role in legitimating scientific boxing that could conform to, and contain the excessive corporealities of boxing within this governance rationale.

Yet, as Esposito suggests, life's protection emerges at the expense of life itself: vital ways of being are what drive us. Scientific frameworks that curb life's excesses in the name of protection also stifle its very development. Science and mundane technologies, as they appeal to the curbing of excess, much like the police sciences and medical sciences, also must fold this excess within themselves, to secularize it. Sovereignty secularizes violence within the body of the King or Queen, who can enact violence and control his or her subject's excesses. Biopolitics curbs its excesses through fostering practices that prevent risk, that instate the security of subjects, and that make subjects responsible for the control of their own excesses within the limitations of law that promotes and values the protection of individual and collective human life. Duelling practices threatened this order of things by controlling excesses outside the constraints of law that did not respect boundaries around persons. Prize fighting, likewise, encouraged excesses through allegedly disrupting public order. Mundane technologies, by contrast, made boxing into a strictly human practice that controlled excess. Far from scientific knowledge of boxing aiding the sport into a civilizing process, the relationship between science

and the desire of subjects for more carnal experiences keep fighting sports in a liminal space between technical, rational and modern performances and intense, fleshly, over-spillings.

References

- Andrew, D. (1980). The code of honour and its critics: The opposition to duelling in England, 1700-1850. *Social History*, 5(3), 409-434.
- Bacon, F. (1838). *The Works of Lord Bacon: With an Introductory Essay, Vol 1*. London William Ball (Ed). London: John Childs and Son.
- Banks, S. 2012. *Duels and Duelling*. London: Bloomsbury Publishing.
- Bentham, J. (1843). Principles of penal law. In J Bowring (Ed.), *The Works of Jeremy Bentham, vol. 1 (Principles of Morals and Legislation, Fragment on Government, Civil Code Penal Law)*.: <http://oll.libertyfund.org/titles/bentham-the-works-of-jeremy-bentham-vol-1>
- Braidotti, R. (2013). *The Posthuman*. Cambridge: Polity Press.
- Brent, J., & Kraska, P. (2013). Fighting is the most real and honest thing: Violence and the civilization/barbarianism dialectic. *British Journal of Criminology*, 53, 357-377.
- Broglio, R. (2013). Docile Numbers and Stubborn Bodies: Population and the Problem of Multitude. *Romantic Numbers* (2): <https://www.rc.umd.edu/praxis/numbers/HTML/praxis.2013.broglio>
- Butler, J. (1991). *Imitation and Gender Subordination, Inside/Out: Lesbian Theories, Gay Theories*, ed. D. Fuss, New York: Routledge
- Castel, R. (1994). 'Problematization' and reading history. In: J. Goldstein (Ed.) *Foucault and the Writing of History*. Oxford: Blackwell
- Clancy, F. (2006). The bitter science: Head blows from boxing can cause dementia and Alzheimer's. Can the same chronic brain injury also lead to Parkinson's? *Neurology Now*, 2(2): 24-45.
- Downey, G. (2007). Producing pain: techniques and technologies in no-holds-barred fighting. *Social Studies of Science*, 37: 201-226.
- Downey, G. (2014). As real as it gets: producing hyperviolence in mixed martial arts. *Journalism, Media and Cultural Studies Journal (JOMECS)*, 5: 1-28.
- Dunning, E. (1990). Sociological reflections on sports violence and civilization. *International Review for the Sociology of Sport*, 25(1); 65-81.

- Elias, N. (1986). An essay on sport and violence. In N. Elias & E. Dunning (Eds). *Quest for Excitement: Sport and Leisure in the Civilizing Process* (pp. 150-174). Oxford: Basil Blackwell.
- Esposito, R. (2006). The immunization paradigm. *Diacritics*, 36(2), 23-48.
- Esposito, R. (2008). *Bios: Biopolitics and Philosophy*, Timothy Campbell (Trans), Introduction by Timothy Campbell, Minneapolis: University of Minnesota Press.
- Esposito, R. (2011). *Immunitas: The Protection and Negation of Life*, Zakiya Hanafi (Trans), Cambridge: Polity Press.
- Esposito, R. (2010). *Communitas: The Origin and Destiny of Community*, Timothy Campbell (Trans), Stanford: Stanford University Press.
- Esposito, R. (2012). The dispositif of the person. *Law, Culture and the Humanities*. 8(1), 17-30.
- Foucault M (1991) Nietzsche, genealogy, history. In: Rabinow P (ed.) *The Foucault Reader*. New York: Pantheon.
- Foucault, M. (2003). *Society Must Be Defended: Lectures at the College de France, 1975-76*. D. Macey (Trans.). New York: Picador.
- Foucault, M. (2007). *Security, Territory, Population: Lectures at the College de France, 1977-78*. G. Burchell (Trans.). New York: Palgrave Macmillan.
- Foucault, M. (2008). *The Birth of Biopolitics: Lectures at the College de France, 1978-79*. G. Burchell (Trans.). New York: Palgrave Macmillan.
- Foucault, M. (2014). The politics of health in the eighteenth century. Richard Lynch (Trans). *Foucault Studies*, 18: 113-127.
- Frisbee, M. (2011). *The Fight of the Century: The Regulation and Reform of Prizefighting in Progressive Era America*. Regulation and Reform of Prizefighting in Progressive Era America. PhD Thesis, University of New Mexico:
http://digitalrepository.unm.edu/hist_etds/31
- Frank, J. B. (1976). Body snatching: A grave medical problem. *Yale Journal of Biology and Medicine*, 49(4), 399-410.
- Garland, D. (1997). 'Governmentality' and the problem of crime: Foucault, criminology, sociology. *Theoretical Criminology*, 1(2), 173-214.
- Garland, D. (2014). What is a 'history of the present'? On Foucault's genealogies and their critical preconditions. *Punishment & Society*, 16(4), 365-384.

- Gottschall, J. (2015). *The Professor in the Cage: Why Men Fight and Why we Like to Watch*. Penguin Press.
- Hargreaves, J. (1997). Women's Boxing and Related Activities: Introducing Images and Meanings, *Body and Society*, 3(4): 33-49.
- Harvey, S., et al. (2014). *Objects and Materials: A Routledge Companion*. London: Routledge.
- Jager, E. (2005). *The Last Duel: A True Story of Crime, Scandal and Trial by Combat in Medieval France*. Broadway Books.
- Kim, J. (2010). *Boxing the Boundaries: Prize Fighting, Masculinities, and Shifting Social and Cultural Boundaries in the United States*. Doctor of Philosophy thesis, University of Kansas.
- MacDonald, R. C. M.D. (2003/1892) Scientific boxing under the Boston A.A. Rules, *Journal of Manly Arts*, [originally published in *Outing Magazine*], 1: 23-24.
- Marren, J. (2013). Fight night: boxing's popularity in the early twentieth century. In D. Coombs & B. Batchelor (Eds), *American history through American sports: From colonial lacrosse to extreme sports*. Santa Barbara, CA: ABC-CLIO.
- Martland, H. (1928). Punch drunk. *JAMA*, 91(15), 1103-1107.
- Massumi, B. (2002). *Parables for the Virtual: Movement, Affect, Sensation*. Durham & London: Duke University Press.
- Naughton, W.W. (1910). *Heavyweight Champions*. San Francisco: John Kitchen Jr Co.
- Peltonen, M. (2003). *The Duel in Early Modern England: Civility, Politeness and Honour*. Cambridge: Cambridge University Press.
- Percival, T.(1803). *Medical Ethics: Or a Code of Institutes and Precepts Adapted to the Professional Conduct of Physicians and Surgeons*. London: S. Russell.
- Porter, T. (1986). *The Rise of Statistical Thinking, 1820-1900*. Princeton: Princeton University Press.
- Rafter, N. (2005). The murderous Dutch fiddler: History, criminology, and the problem of phrenology. *Theoretical Criminology*, 9(1), 65-96.
- Ramey, J. (2015). Neoliberalism as a Political Theology of Chance: The Politics of Divination. *Palgrave Communications*: <http://www.palgrave-journals.com/articles/palcomms201539>
- Reel, G. (2006). *The National Police Gazette and the Making of the Modern American Man, 1879-1906*. New York: Palgrave.

- Ryan, M. (1836). *A Manual of Medical Jurisprudence and State Medicine*. London: Sherwood, Gilbert and Piper.
- Shaw, G. B. (1882). *The Collected Plays of George Bernard Shaw*. Online access: E-art-now.
- Sheard, R. (1997). Aspects of boxing in the western 'civilizing process'. *International Review for the Sociology of Sport*, 32(1), 31-57.
- Stell, L. (1979). Dueling and the right to life. *Ethics*, 90(1), 7-26.
- Taylor, M. (2013). The global ring? Boxing, mobility, and transnational networks in the anglophone world, 1890-1914. *Journal of Global History*, 8, 231-255.
- Tward A. D., & Patterson H. A. (2002). From grave robbing to gifting: Cadaver supply in the United States. *JAMA*, 287(9):1183
- Wacquant, L. (1995). The pugilistic point of view: How boxers think and feel about their trade. *Theory & Society*, 24(4), 489-535.
- Wacquant, L. (1998). A fleshpeddler at work: Power, pain and profit in the prizefighting economy. *Theory & Society*, 27(1), 1-42.
- Waldby, C. (2000). *The Visible Human Project: Informatic Bodies and Postmodern Medicine*. New York: Routledge.
- Weber, M. (1919). Politics as vocation. In H.H. Gerth and C. Wright Mills (Translated and edited), *From Max Weber: Essays in Sociology*, New York: Oxford University Press, 1946 (pp. 77-128)
- Wecht, C. (2005). The history of legal medicine. *Journal of the American Academy of Psychiatry and the Law*, 33(2): 245-251.