CRIME IN EARLY MODERN ENGLAND, 1550-1800

Instructor: Dr. Ken MacMillan
Office No: SS 628; Phone: 403-220-5927
Office Hours: Thurs. 12:30–1:30pm; or by appt.
Seminar Location: SS 639
Seminar Hours: Thursday 2pm–4:45pm
Email: macmillk@ucalgary.ca

Introduction
This seminar will introduce participants to the history of crime and punishment in early modern England. This period witnessed significant changes in the criminal justice system. In the late-sixteenth and seventeenth century, the system was primarily attuned to the rural countryside, where people lived in small communities, knew each other well, shared similar occupations and socio-economic statuses, and conformed to familiar boundaries of behaviour. In the eighteenth century, people increasingly moved to large urban centres, especially London, where they became more anonymous, clashed with the wealthy ‘middling sort’, and shared a wide variety of social norms based on status, occupation, gender, and environment. These changes required different approaches to crime and punishment than were used previously.

Learning Outcomes
Participants in this seminar will have the opportunity to:
• Read key academic articles to gain knowledge of crime and criminal justice in England;
• Prepare and present a secondary source analysis;
• Research and present a research paper based on primary source materials;
• Engage in debate and discussion in small group and plenary environments.

Reading Material
There are no books to purchase for this course. We will rely on periodical literature available through Historical Abstracts for the first section of the course and participants will use library, online, and other resources for the assignments. A copy of The History Student’s Handbook: A Short Guide to Writing History Essays will be found on D2L. Students who lack basic knowledge of early modern English criminal justice history are advised to read J. A. Sharpe, Crime in Early Modern England, 1550-1750, 2d. ed. (London: Longman, 1999). A general introduction to crimes, procedure, and punishment in the seventeenth century, will be found in Ken MacMillan, ed., Stories of True Crime in Tudor and Stuart England (London: Routledge, 2015), pp. 4-16, which will be discussed in the first seminar.

Grade Distribution
Participation 25%
Critical Annotations 20%
Secondary Source Presentation 15%
Research Presentation 10%
Research Essay 30%
All assignments will be awarded percentage grades, according to the Department of History’s approved table. Late assignments may be penalized up to 3% per day, including weekends.
Participation
Participation is an important component of this seminar. Participants are expected to engage with weekly readings during Part I, and with presenters during Part II. Effective participation involves regular, active, informed, and respectful engagement in both small group and plenary sessions, making valuable contributions to the discussion but without seeking to dominate the conversation. There will be no opportunity to make up for participation points lost because of absence. At the instructor’s discretion, in exceptional circumstances (usually significant personal illness or family emergencies) some of these grades may be recovered with additional written work. The participation grade will be assigned at the end of term based on the overall performance in the course; an interim, non-binding grade will be awarded at the end of September to give you a sense of your participation at that point. Participants should expect a one-third letter grade reduction (e.g. A- to B+) for each class missed and an automatic fail on this component for missing three or more seminars without justification.

Critical Annotations
These short assignments, numbering seven in total, are due each class from September 12 to October 24. They involve producing 150-word annotations for each academic article assigned in Part I. In total, each assignment will be about 600 words, or two single-spaced pages. These assignments will be graded collectively at the end of Part I of the seminar, although advice for improvement may be offered earlier in the semester. Each annotation should contain the following:

a. A complete and correct bibliographical citation for the article;
b. The scope of the article (time period and subject matter);
c. The author’s argument (in bold) and key source base;
d. A sentence or two of critical reflection about the article;
e. Stylistic competence (grammar, punctuation, and presentation).

Example of a Critical Annotation:
Robison, William. “Murder at Crowhurst: A Case Study in Early Tudor Law Enforcement.” Criminal Justice History 9 (1988): 31–62. Robison examines the 1532 murder of Robert Grame, using a detailed report written by JP Sir John Gaynesford to Secretary of State Thomas Cromwell. The author argues that officials at both the local and national levels “manifested a careful concern for legal procedure … earlier than some historians have assumed” (p. 32). Gaynesford proved to be a remarkably efficient and thorough investigator, drawing on methods later advocated by William Lambarde in Eirenarcha. After taking several witness depositions, Gaynesford arrived at the conclusion that two men, John Comport and John Benson, murdered Grame, although for reasons unclear to Robison, the two men likely never stood trial. This emphasizes that many legal records of the early Tudor period are incomplete, which presents challenges to historians seeking to understand this period.
Seminar Schedule

Part I: Readings

The articles listed below are available for PDF download via Primo (the University of Calgary library search engine) and Historical Abstracts, which is accessible through the University of Calgary library website. Please note that these articles are listed alphabetically by author surname; for each seminar, review the set of articles first and read them in the order that makes sense to you, likely either chronologically or thematically.

September 5: Introduction: Crime in Early Modern England

September 12: Participation and the Community

September 19: Gender and Crime
K. J. Kesselring, ‘Bodies of Evidence’, Gender and History 27 2015, 245-62
Robert Shoemaker, ‘Print and the Female Voice’, Gender & History 22 2010, 75-91

September 26: Sex and Crime
Courtenay Thomas, ‘Not Having God Before His Eyes’, Seventeenth Century 26 2011, 149-73

October 3: Reporting Crime
Lena Liapi, ‘The Talke of the Towne’, Cultural and Social History, 14 2017, 549-64

October 10: Crime and Punishment
Simon Devereaux, ‘Recasting the Theatre of Execution’, Past & Present 202 2009, 127-74

October 17: Criminal Procedure
Matthew Lockwood, ‘From Treason to Homicide’, Journal of Legal History 34 2013, 31-49

October 24: **Crime in Eighteenth-Century London**

Part II: Presentations and Research

October 31–November 7: **Secondary Source Presentations**

November 21–December 5: **Research Essay Presentations**

**Secondary Source Presentations**
This assignment involves a formal 15-minute presentation accompanied by PowerPoint or similar presentation software, such as Google Slides. A one-page (single-sided) handout should accompany the presentation. It should highlight the major points discussed in the presentation, but should not merely be a copy of the presentation itself. In our first seminar, each participant will select one secondary source from the list below, and present on the date indicated. Your task, in essence, is to teach the book to the class by discussing the author, scope and key arguments of the book, source base, strengths and weaknesses, and conclusions. Please note that all aspects of the presentation will be graded; this includes your comprehension of the material, ability to explain it, preparation, delivery, and the quality and effectiveness of the presentation slides and handouts. You must upload the handout and presentation to D2L no later than midnight on the day you present.

**October 31**
Cynthia Herrup, *The Common Peace*
Malcolm Gaskill, *Crime and Mentalities in Early Modern England*
James Sharpe, *The Bewitching of Anne Gunter*
J. M. Beattie, *Policing and Punishment in London, 1660-1750*
Peter King, *Crime, Justice, and Discretion in England*
Frances Dolan, *Dangerous Familiars*
Paul Griffiths, *Lost Londons*
Francis Dolan, *True Relations: Reading, Literature, and Evidence*

**November 7**
Andrea McKenzie, *Tyburn’s Martyrs*
Peter Linebaugh, *The London Hanged*
Sandra Clark, *Women and Crime in the Street Literature of Early Modern England*
Hal Galfelder, *Criminality and Narrative in Eighteenth-Century England*
Sandra Clark, *Women and Crime in the Street Literature of Early Modern England*
John Langbein, *The Origins of Adversary Criminal Trial*
Andrea McKenzie, *Tyburn’s Martyrs*
Research Presentation

The research presentation will involve a 15-minute introduction to your research paper, followed by group discussion, for a total of about 30 minutes. The order of presentations will be determined by the instructor based on the subject matter and time period of the essays. Papers to be presented on Thursday will be made available on Tuesday and must be read by each participant before the class in order to allow full engagement with the project. This means that, depending on the day of presentation, drafts will be due at different times. Presenters should not read their paper, but rather introduce the topic, thesis statement, evidence used, and principal findings, and any particular difficulties or personal improvement involved in completing the project. Audiovisual support (e.g., PowerPoint) is encouraged but is not necessary. The grade will be based on the author’s ability to communicate her or his findings, and their relevance, to the class.

Research Essay

The research essay involves an investigation into a topic of your choice, drawing on a discreet selection of primary source materials. Your essay can be about a specific case or type of crime, court, punishment, etc. Appropriate primary sources might include, for example, murder pamphlets, *The Ordinary’s Account, The Proceedings of the Old Bailey*, newspapers, and criminal biographies, as described in Ken MacMillan, “True Crime Reporting in Early Modern England,” in Nichole Rafter and Michelle Brown, eds., *Oxford Research Encyclopedia of Crime, Media, and Popular Culture* (Oxford: Oxford University Press, 2018), copies of which will be made available. In addition to primary materials, gather at least eight secondary sources (journal articles, chapters in books, books) relevant to your topic. You may use the articles assigned to this seminar if they are relevant. Please feel free to consult the instructor regarding an essay topic or appropriate secondary material. The secondary literature should be used to place your paper into the context of other historians’ writings on your subject, and to show in what ways your findings confirm or challenge historians’ views. The paper should be approximately 3000 words (12–14 double-spaced pages), not counting footnotes or the bibliography.

A draft of at least 10 pages should be uploaded to the D2L Dropbox by noon on the Tuesday before you present the paper to the class on Thursday. After the presentation and discussion of the paper, consider revisions along the lines suggested by the instructor and other participants. Final versions of all papers should be in Adobe or Word and uploaded to the D2L Dropbox no later than midnight on December 12. The paper will be graded on originality, source base, use of source materials, organization, strength of argument, and writing style. Proper referencing style and format must be used, about which see *The History Student’s Handbook*.

Program Advising and Student Information Resources:

- **Attention history majors:** History 300 is a required course for all history majors. **You should normally take it in your second year.**
- For program advising in the Faculty of Arts, contact the Arts Students Centre (ASC) in SS 102, call 403-220-3580, email artsads@ucalgary.ca, or book an appointment with an ASC advisor at [https://arts.ucalgary.ca/current-students/undergraduate](https://arts.ucalgary.ca/current-students/undergraduate).
• For further information on academic advising and degree planning for arts students, see https://arts.ucalgary.ca/current-students/undergraduate/academic-advising.
• For registration issues, paying fees, and assistance with MyUofC, contact Enrolment Services in MacKimmie Library Block (MLB), call 403-210-ROCK (7625), or visit http://www.ucalgary.ca/registrar/.
• Registration changes and exemption requests: https://www.ucalgary.ca/registrar/registration/appeals.

Departmental Grading System:
The following percentage-to-letter grade conversion scheme is used in all Canadian Studies, History, and Latin American Studies courses, except for HTST 200.

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Letter Grade</th>
<th>Grade Point Value</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>90-100</td>
<td>A+</td>
<td>4.00</td>
<td>Outstanding</td>
</tr>
<tr>
<td>85-89</td>
<td>A</td>
<td>4.00</td>
<td>Excellent—superior performance showing comprehensive understanding of subject matter.</td>
</tr>
<tr>
<td>80-84</td>
<td>A-</td>
<td>3.70</td>
<td></td>
</tr>
<tr>
<td>77-79</td>
<td>B+</td>
<td>3.30</td>
<td></td>
</tr>
<tr>
<td>73-76</td>
<td>B</td>
<td>3.00</td>
<td>Good—clearly above average performance with knowledge of subject matter generally complete.</td>
</tr>
<tr>
<td>70-72</td>
<td>B-</td>
<td>2.70</td>
<td></td>
</tr>
<tr>
<td>67-69</td>
<td>C+</td>
<td>2.30</td>
<td></td>
</tr>
<tr>
<td>63-66</td>
<td>C</td>
<td>2.00</td>
<td>Satisfactory—basic understanding of the subject matter.</td>
</tr>
<tr>
<td>60-62</td>
<td>C-</td>
<td>1.70</td>
<td>Receipt of a grade point average of 1.70 may not be sufficient for promotion or graduation.</td>
</tr>
<tr>
<td>56-59</td>
<td>D+</td>
<td>1.30</td>
<td>Minimal pass—marginal performance; generally insufficient preparation for subsequent courses in the same subject.</td>
</tr>
<tr>
<td>50-55</td>
<td>D</td>
<td>1.00</td>
<td></td>
</tr>
<tr>
<td>0-49</td>
<td>F</td>
<td>0</td>
<td>Fail—unsatisfactory performance or failure to meet course requirements.</td>
</tr>
</tbody>
</table>

Writing:
All written assignments and written exam responses are assessed partly on writing skills. Writing
skills include surface correctness (grammar, punctuation, sentence structure, etc.) and general clarity and organization. Research papers must be properly referenced.

**Red Box Policy:**
Essays and other assignments may be dropped into the red box located outside of the History Department office (Social Sciences, Room 656). Please include the following information on your assignment: **1) course name and number, 2) instructor, 3) your name, and 4) your student number**. Assignments received after 4:00 p.m. are date stamped the next business day. We do not time stamp any papers. Please do not bring your paper into the office to be stamped. The box is emptied at 4:00 p.m. Monday to Friday.

**Plagiarism:**
Plagiarism occurs when one submits or presents one’s work in a course, or ideas and/or passages in a written piece of work, as if it were one’s own work done expressly for that particular course, when, in fact, it is not. As noted in *The History Student’s Handbook* https://hist.ucalgary.ca/sites/hist.ucalgary.ca/files/history-students-handbook-2019.pdf

Plagiarism may take several forms:
- Failing to cite sources properly
- Submitting borrowed, purchased, and/or ghostwritten papers
- Submitting one's own work for more than one course without the permission of the instructor(s) involved
- Extensive paraphrasing of one or a few sources, even when referenced properly, unless the essay is a critical analysis of those works
- Using notes does not justify the sustained presentation of another author’s language and ideas as one’s own

Plagiarism is a serious academic offence and written work that appears to contain plagiarized passages will not be graded. All such work is reported to the Faculty of Arts’ associate deans of students who will apply the penalties specified in the *University of Calgary Calendar, Section K*. https://www.ucalgary.ca/pubs/calendar/current/k.html

**Copyright:**
Instructors in all University of Calgary courses strictly adhere to the Copyright Act regulations and educational exceptions permitted by the Act for both print and digital course material. No copyrighted material may be placed on course D2L or web sites without the prior permission of the copyright holders. In some cases, you may be required to purchase a print course pack from the University of Calgary bookstore or consult books on reserve at the library. For more information on the University of Calgary’s copyright policy, see http://library.ucalgary.ca/copyright.

**Academic Accommodations (implemented July 1, 2015):**
The student accommodation policy can be found at: ucalgary.ca/access/accommodations/policy.

Students needing an accommodation because of a disability or medical condition should contact Student Accessibility Services (https://www.ucalgary.ca/access/) in accordance with the

Students needing an accommodation based on a protected ground other than disability should contact, preferably in writing, the course instructor.

**Other Useful Information:**

- Department Twitter [@ucalgaryhist](https://twitter.com/ucalgaryhist)

Please see [https://www.ucalgary.ca/registrar/registration/course-outlines](https://www.ucalgary.ca/registrar/registration/course-outlines) for information on:

- Wellness and Mental Health
- Student Success
- Student Ombuds Office
- Student Union (SU) Information
- Graduate Students’ Association (GSA) Information
- Emergency Evacuation/Assembly Points
- Safewalk

Fall 2019