



Department of History

HTST 673 (TOPICS IN LEGAL HISTORY) CRIME IN EARLY MODERN ENGLAND

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Office Hours: By appointment in SS 628 or by Zoom

Seminar Location and Time: SS 613, Wednesdays 2–4:45pm

Description

This seminar will introduce participants to the history of crime and punishment in early modern England, circa 1550–1800. This period witnessed significant changes in the criminal justice system. In the 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 academic articles to gain knowledge of crime and criminal justice in England;
- Lead a seminar and engage in debate and discussion in plenary environments;
- Read an academic monograph and present a book review;
- Write and present a research paper based on primary source materials;
- Enhance skills in critical and analytical thinking, and historical interpretation and method.

Reading Material

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. Participants are expected to read J. A. Sharpe, *Crime in Early Modern England, 1550-1750*, 2d. ed. (London: Longman, 1999), during the first few weeks of the course. This book will provide a general overview that will help to contextualize the reading material in Part I. This book is available for free online access at the University of Calgary library.

Assessment

Participation, as follows:	30%
(1) Plenary discussions (15%)	
(2) Seminar lead (10%)	
(3) Research essay critique (5%)	
Critical Annotations	20%
Book Presentation	10%
Research Essay, as follows:	40%
(1) Proposal (2%)	
(2) Draft (3%)	
(3) Presentation (10%)	
(4) Research Essay (25%)	

Grading Policies

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 (30%)

Participation is an important aspect of this seminar. Participation will take three forms:

(1) **Plenary Discussions:** Participants are expected to engage with weekly discussions and readings during Part I, and with presenters during Part II. Effective participation involves regular, informed, and respectful engagement, making valuable contributions but without seeking to dominate the conversation. The participation grade will be assigned at the end of term based on the overall performance in the course. Participants should expect a one-third letter grade reduction (eg. A- to B+) for each class missed and an automatic fail on this component for missing three or more seminars without justification. This component is worth 15%.

(2) **Seminar Lead:** Each participant will lead one seminar during the semester. This involves a 45-60 minute guided discussion of the three articles scheduled for the assigned week. Facilitation should involve discussion of each reading (engaging with, for example, the topic, argument, evidence base, methodology, and gaps) and of the readings as a whole and as they relate to the weekly topic and other readings in the seminar. Grades will be assigned immediately after the seminar. This component is worth 10%.

(3) **Research Essay Critique:** Each participant will be assigned to critique the draft essay of another participant during the final two weeks of the seminar (critics will not critique the same week they present). This should be a formal, two-page written critique designed to be read in seminar; paper copies should also be submitted to the author and the instructor. Critiques should offer constructive feedback that will enable the author to improve the draft. Avoid minor criticisms regarding writing style unless these dramatically impede understanding. Instead, focus on arguments, sources, and presentation. Grades will be assigned immediately after the seminar. This component is worth 5%.

Critical Annotations (20%)

One of the historian's most important skills is the ability to read and comprehend academic scholarship in a manner that allows for critical engagement. These short assignments, numbering eight in total, should be submitted to the D2L Dropbox under "Critical Annotations" no later than noon each Wednesday during Part I of the seminar (except February 22). They involve producing 100-word annotations for each academic article assigned each week. In total, each assignment will be about 300 words, or about one single-spaced page.

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:

- a. A complete bibliographical citation for the article (not counted in the word count);
- b. The scope of the article (time period and subject matter);
- c. A one-sentence summary of the author's argument;
- d. A brief summary of the article;
- e. A brief critical reflection about the article;
- f. 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. He argues that officials at the local and national levels "manifested a careful concern for legal procedure ... earlier than some historians have assumed". After taking witness depositions, Gaynesford concluded 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.

Book Presentation (10%)

This assignment involves a formal 15-minute presentation of an academic monograph, accompanied by PowerPoint or similar presentation software, such as Google Slides or Prezi. A one-page (single-sided) handout should accompany the presentation. It is each participant's responsibility to find a suitable book for presentation. *The book must be an academic monograph with standard scholarly apparatus (footnotes/endnotes) of at least 150 pages; written by a historian and published since the year 2000 by an academic press; and focused on the subject of crime, criminal justice, or punishment in early modern England (it is acceptable for a portion of the book to cover earlier or later dates).* You must have your monograph approved by the instructor no later than March 8; please feel free to consult with the instructor regarding potential titles. During the presentation, your task 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 the extent to which the book fits within our discussions during Part I of the seminar. All aspects of the presentation will be assessed; this includes your comprehension of the material, ability to explain it, preparation, delivery, and the quality and effectiveness of the presentation slides and handout. Please upload the handout and presentation slides to D2L no later than midnight on the day of the presentation. *Please note that you are not required to write a book review; the presentation and handout are the only components being assessed.*

Research Essay (45%)

The research essay for this seminar 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. Please feel free to discuss your topic with the instructor. This project involves four elements, each of which are graded:

(1) **Research Proposal:** A proposal of approximately 500 words (2 double-spaced pages), accompanied by a preliminary bibliography of at least six primary and secondary sources, should be uploaded to D2L no later than 11:59 pm on February 15. The proposal should indicate the topic, research questions, and sufficient background to contextualize the project. The purpose of the proposal is convince the instructor of the viability of the project. Please ensure the proposal is well written, in paragraph form. This assignment is worth 2%, which will be awarded in its entirety assuming all of the above components have been achieved.

(2) **Essay Draft:** A draft of at least 4000 words (including footnotes but excluding the bibliography) should be uploaded to the D2L Dropbox by 11:59 pm on the Monday before you present your paper to the class (see below). The draft should be materially complete, with all standard essay components (introduction, body, conclusion, bibliography) in place. On Tuesday, all drafts will be made available on Dropbox and are expected to be read by the critic to prepare the critique, and by each participant in preparation for Wednesday's seminar. This assignment is worth 3%, which will be awarded in its entirety assuming all of the above components have been achieved.

(3) **Presentation:** The presentation will involve a 15-minute discussion of your research paper, accompanied by PowerPoint, Google Slides, or Prezi, followed by a formal critique by another participant and a 15-minute plenary discussion involving the entire class. The order of presentations (and, therefore, the due dates of the drafts) will be determined by the instructor after the proposals have been submitted, based on the subject matter and time period of the essays. Presenters should not read their paper, but rather introduce the topic, thesis statement, evidence used, and principal findings. After the presentation and discussion, consider revisions along the lines suggested by the instructor and other participants. This assignment is worth 10%, which will be awarded according to the overall quality of the presentation.

(4) **Research Paper:** The final essay should be approximately 6000 words (including footnotes but excluding the bibliography). In addition to relevant primary sources, which will vary depending on the nature of the project, it should make use of at least ten secondary sources (journal articles, chapters in books, and books) relevant to your topic. You may use the articles assigned to this seminar if they are relevant. The secondary literature should be used to place your paper into the context of other historians' writings on your subject, and to show how your findings engage other historians' views. However, *the essay is expected to be led by primary sources, which should make up the majority of your footnotes*. The final version of the essay should be in Adobe or Word format and uploaded to the D2L Dropbox no later than 11:59 pm on April 19. 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*. This assignment is worth 25%.

Seminar Format

During Part I (January 18–March 15), for the first half of each seminar, we will familiarize ourselves with a particular aspect of crime and criminal justice in early modern England. J. A. Sharpe's *Crime in Early Modern England*, together with the articles we have read for the seminar, will help us reconstruct this history. After a break, the remainder of the class will involve a participant-led seminar. During Part II, all class time will be devoted to participant presentations, critique, and discussions of the presented material.

Schedule and Readings

Part I: Readings

The reading material for this seminar includes a series of academic articles published between 1985 and 2022. Although there are also many books on this subject, which we will explore during in the book presentations, these articles are broadly reflective of the major topics and developments in the field. They also model various techniques that participants might wish to explore in their research papers. The articles are all available for PDF download via *Historical Abstracts*, which is accessible through the University of Calgary library website. It is recommended that you download all of the articles at the same time and save them for future use.

January 11: **Introduction; Early Modern England**

January 18: **Participation and the Community**

Cynthia Herrup, "Law and Morality." *Past and Present* 1985

K. J. Kesselring, "Felony Forfeiture." *Historical Journal* 2010

Peter King, "Decision Makers." *Historical Journal* 1984

January 25: **Punishment and Violence**

Susan Amussen, "Punishment, Discipline, and Power." *Journal of British Studies* 1995

K. J. Kesselring, "Law, Status, and the Lash." *Journal of British Studies* 2021

Alastair Bellany, "The Murder of John Lambe." *Past and Present* 2008

February 1: **Crime Reporting**

Malcolm Gaskill, "Reporting Murder." *Social History* 1998

Robert Shoemaker, "Old Bailey Proceedings." *Journal of British Studies* 2008

Lena Liapa, "The Talke of the Towne." *Cultural and Social History* 2017

February 8: **Women and Crime**

Malcolm Gaskill, "Witchcraft and Evidence." *Past and Present* 2008

Laura Gowing, "Secret Births and Infanticide." *Past and Present* 1997

K. J. Kesselring, "Bodies of Evidence." *Gender and History* 2015

February 15: **Magistrates and Lawyers**

John Beattie, "Scales of Justice." *Law and History Review* 1991

Gwenda Morgan and Peter Rushton, "The magistrate, the community." *Historical Research* 2003

Alison Wall. “The Greatest Disgrace.” *English Historical Review* 2004

February 22: **Reading Break (no seminar)**

March 1: **Crime in London**

John Beattie, “Sir John Fielding.” *Law and History Review* 2007

Mary Clayton and Robert Shoemaker, “Blood money.” *Continuity and Change* 2022

David Lemmings, “Henry Fielding.” *Huntington Library Quarterly* 2017

March 8: **Women in London**

Robert Shoemaker, “Print and the Female Voice.” *Gender and History* 2010

Mary Clayton, “Life and Crimes of Charlotte Walker.” *London Journal* 2008

Garthine Walker, “Rape, Acquittal and Culpability.” *Past and Present* 2013

March 15: **Changes in Punishment**

Simon Devereaux, “Recasting the Theatre of Execution.” *Past and Present* 2009

G. Morgan and P. Rushton, “Print culture, crime and transportation.” *Continuity & Change* 2007

Randall McGowen, “Body and Punishment.” *Journal of Modern History* 1987

Part II: Presentations and Research Time

March 22: **Book Review Presentations**

March 29: **Research Time (no seminar)** – instructor available for individual meetings

April 5–12: **Research Essays Presentations**

April 19: **Research Essays Due**

THE FOLLOWING INFORMATION APPEARS ON ALL DEPARTMENT OF HISTORY COURSE OUTLINES

Departmental Grading System

The following percentage-to-letter grade conversion scheme is used in all History graduate level courses. See the university grading system in the calendar:

<https://www.ucalgary.ca/pubs/calendar/current/f-1-2.html>

Percentage	Letter Grade	Grade Point Value	Description
90-100	A+	4.00	Outstanding performance
85-89	A	4.00	Excellent performance
80-84	A-	3.70	Very good performance
77-79	B+	3.30	Good performance
73-76	B	3.00	Satisfactory performance
70-72	B-	2.70	Minimum pass

Percentage	Letter Grade	Grade Point Value	Description
67-69	C+	2.30	All grades of "C+" or lower are indicative of failure at the graduate level and cannot be counted toward Faculty of Graduate Studies course requirements. Individual programs may require a higher passing grade.
63-66	C	2.00	
60-62	C-	1.70	
56-59	D+	1.30	
50-55	D	1.00	
0-49	F	0	
	CR		Completed Requirements. Carries no weight in calculating the grade point average. This will be noted in the calendar description as "Not Included in GPA" where applicable.

Please Note: Students are expected to reach the grade range to receive that letter grade (ie. to receive an A- a student will have earned an 80 or 3.7 in the course). Assume that there will be no rounding up unless a faculty member announces otherwise.

Writing

All written assignments 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 documented according to the format described in [The History Student's Handbook](#).

Academic Misconduct

Academic Misconduct refers to student behavior which compromises proper assessment of a student's academic activities and includes: cheating; fabrication; falsification; plagiarism; unauthorized assistance; failure to comply with an instructor's expectations regarding conduct required of students completing academic assessments in their courses; and failure to comply with exam regulations applied by the Registrar.

For more information, please see the University of Calgary [Student Academic Misconduct Policy](#) documents, and visit the [Academic Integrity Website](#).

Plagiarism

Plagiarism occurs when students submit or present the ideas and/or writing of others as if they were their own or when they submit their own work to two different classes. Please see [The History Student's Handbook](#) for more details, but to summarize, 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

Plagiarism is a serious academic offence, and written work that appears to contain plagiarized passages will not be graded. All such work will be reported to the Faculty of Art's associate deans of students who will apply the penalties specified in [the university calendar](#).

Academic Accommodation

It is the student's responsibility to request academic accommodations according to the [Student Accommodations policy](#). Students needing an accommodation based on disability or medical concerns should contact Student Accessibility Services (SAS) in accordance with the [Procedure for Accommodations for Students with Disabilities](#). Students who require an accommodation in relation to their coursework based on a protected ground other than Disability should communicate this need in writing to their Instructor.

SAS will process the request and issue letters of accommodation to instructors. For additional information on support services and accommodations for students with disabilities, visit [Student Accessibility Services](#).

Research Ethics

Students are advised that any research with human participants – including any interviewing (even with friends and family), opinion polling, or unobtrusive observation – must have the approval of the [Conjoint Faculties Research Ethics Board](#) or the [Conjoint Health Research Ethics Board](#). In completing course requirements, students must not undertake any human subjects research without discussing their plans with the instructor, to determine if ethics approval is required. Some courses will include assignments that involve conducting research with human participants; in these cases, the instructor will have applied for and received ethics approval for the course assignment. The instructor will discuss the ethical requirements for the assignment with the students.

Instructor Intellectual Property

Course materials created by instructors (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the instructor. These materials may NOT be reproduced, redistributed or copied without the explicit consent of the instructor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the course at the same time may be allowed under fair dealing.

Copyright Legislation

All students are required to read the University of Calgary policy on [Acceptable Use of Material Protected by Copyright](#) and requirements of [the Copyright Act](#) to ensure they are aware of the consequences of unauthorised sharing of course materials (including instructor notes, electronic versions of textbooks etc.). Students who use material protected by copyright in violation of this policy may be disciplined under [the Non-Academic Misconduct Policy](#).

Copyright of Educational Materials

The University of Calgary has opted out of the Access Copyright Interim Tariff proposed by the Copyright Board. Therefore, instructors in all University of Calgary courses will strictly adhere

to Copyright Act regulations and the 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, this may mean that instructors will require you to purchase a print course pack from the University of Calgary bookstore or consult books on reserve at the library. Please see the [University of Calgary copyright page](#).

Freedom of Information and Protection of Privacy

Student information will be collected in accordance with usual classroom practice. Students' assignments will be accessible only by the authorized course faculty and teaching assistants. Private information related to the individual student is treated with the utmost regard.

MEDIA RECORDING IN LEARNING ENVIRONMENTS

Media Recording for Study Purposes (Students)

Students who wish to audio record lectures for personal study purposes need to follow the guidelines outlined in [Section E.6 of the University Calendar](#). Unless the audio recording of lectures is part of a student accessibility requirement, permission must be sought by the course instructor to audio record lectures.

Media recording for lesson capture

The instructor may use media recordings to capture the delivery of a lecture. These recordings are intended to be used for lecture capture only and will not be used for any other purpose. Recordings will be posted on D2L for student use and will normally be deleted at the end of term. Students are responsible for turning off their camera and/or microphone if they do not wish to be recorded.

Media recording for assessment of student learning

The instructor may use media recordings as part of the assessment of students. This may include but is not limited to classroom discussions, presentations, clinical practice, or skills testing that occur during the course. These recordings will be used for student assessment purposes only and will not be shared or used for any other purpose. The recording will be destroyed as specified by [retention rule 2000.01](#) "Examinations and Student Assignments".

Media recording for self-assessment of teaching practices

The instructor may use media recordings as a tool for self-assessment of their teaching practices. Although the recording device will be fixed on the instructor, it is possible that student participation in the course may be inadvertently captured. The recording will be destroyed as specified by [retention rule 98.0011](#) "Draft Documents & Working Materials".

Sexual Violence Policy

The University recognizes that all members of the University Community should be able to learn, work, teach and live in an environment where they are free from harassment, discrimination, and violence. The University of Calgary's sexual violence policy guides us in how we respond to incidents of sexual violence, including supports available to those who have

experienced or witnessed sexual violence, or those who are alleged to have committed sexual violence. It provides clear response procedures and timelines, defines complex concepts, and addresses incidents that occur off-campus in certain circumstances. Please see [the sexual and gender-based violence policy](#).

Other Useful Information

Please see the Registrar's [Course Outline Student Support and Resources](#) page 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
- Campus Security 220-5333

Department of History Twitter @ucalgaryhist

Updated November, 2022

