

Common Peace The Participation And The Criminal Law In Seventeenth Century England

Crime, Law and Popular Culture in Europe, 1500-1900 Richard McMahon 2013-06-17 Exploring the relationship between crime, law and popular culture in Europe from the 16th century onwards, this title looks at how crime was understood and dealt with by ordinary people, as well as looking at to what degree official law and the criminal justice system was rejected as a means of dealing with criminal activity.

Law and Government in England during the Long Eighteenth Century D. Lemmings 2011-10-28 Over the long eighteenth century English governance was transformed by large adjustments to the legal instruments and processes of power. This book documents and analyzes these shifts and focuses upon the changing relations between legal authority and the English people.

Handbook of Policing Tim Newburn 2012-08-21 This new edition of the Handbook of Policing updates and expands the highly successful first edition, and now includes a completely new chapter on policing and forensics. It provides a comprehensive, but highly readable overview of policing in the UK, and is an essential reference point, combining the expertise of leading academic experts on policing and policing practitioners themselves.

A House in Gross Disorder Cynthia B. Herrup 2001 This work offers an interpretation of the case of the second Earl of Castlehaven, who was convicted of abetting the rape of his wife and of committing sodomy with his servants. He also stood accused of inverting the natural order of his household.

An Introduction to English Legal History John Baker 2019 Fully revised and updated, this classic text provides the authoritative introduction to the history of the English common law. The book traces the development of the principal features of English legal institutions and doctrines from Anglo-Saxon times to the present and, combined with Baker and Milsom's *Sources of Legal History*, offers invaluable insights into the development of the common law of persons, obligations, and property. It is an essential reference point for all lawyers, historians and students seeking to understand the evolution of English law over a millennium. The book provides an introduction to the main characteristics, institutions, and doctrines of English law over the longer term - particularly the evolution of the common law before the extensive statutory changes and regulatory regimes of the last two centuries. It explores how legal change was brought about in the common law and how judges and lawyers managed to square evolution with respect for inherited wisdom.

Popular Cultures in England 1550-1750 Barry Reay 2014-06-17 Explores the important aspects of popular cultures during the period 1550 to 1750. Barry Reay investigates the dominant beliefs and attitudes across all levels of society as well as looking at different age, gender and religious groups.

Women and Violent Crime in Enlightenment Scotland Anne-Marie Kilday 2015 A complete reappraisal of the scale and significance of female criminality in a period of major legislative changes.

Lawyers, Litigation & English Society Since 1450 Christopher Brooks 1998-07-01 Legal history has usually been written in terms of writs and legislation, and the development of legal doctrine. Christopher Brooks, in this series of essays roughly half of which are previously unpublished, approaches the law from two different angles: the uses made of courts and the fluctuations in the fortunes of the legal profession. Based on extensive original research, his work has helped to redefine the parameters of British legal history, away from procedural development and the refinement of legal doctrine and towards the real impact that the law had in society. He also places the law into a wider social and political context, showing how changes in the law often reflected, but at the same time influenced, changes in intellectual assumptions and political thought. Lawyers as a profession flourished in the second half of the sixteenth century and throughout the seventeenth century. This great age of lawyers was followed by a decline in the eighteenth and early nineteenth centuries, reflecting both a decline in litigation and the perception of the law as slow, artificially complicated and ruinously expensive. In *Lawyers, Litigation and Society, 1450-1900*, Christopher Brooks also looks at the sorts of cases brought before different courts, showing why particular courts were used and for what reasons, as well as showing why the popularity of individual courts changed over the years.

Gender And Crime In Modern Europe Meg Arnot 2002-01-04 This work explores the construction of gender norms and examines how they were reflected and reinforced by legal institutional practices in Europe in this period. Taking a gendered approach, criminal prosecution and punishment are discussed in relation to the victims and perpetrators. This volume investigates various representations of femininity by assessing female experiences including wife-beating, divorce, abortion, prostitution, property crime and embezzlement at the work place. In addition, issues such as neglect, sexual abuse and the "invention" of the juvenile offender are analyzed.

The Politics of the Excluded, c. 1500-1850 Tim Harris 2017-03-14 This collection of essays seeks to shed light on the politics of those people who are normally thought of as being excluded from the political nation in early modern England. If by political nation we mean those who sat in parliament, the governors of counties and towns, and the enfranchised classes in the constituencies, then the 'excluded' would be those who were neither actively involved in the process of governing nor had any say in choosing those who would rule over them - the bulk of the population at this time. Yet this volume shows that these people were not, in fact, excluded from politics. Not only did the masses possess political opinions which they were capable of articulating in a public forum, but they were also often active participants in the political process themselves and taken seriously in that capacity by the governmental elite. The various essays deal with topics as wide-ranging as riots, rumours, libels, seditious words, public opinion, the structures of local government, and the gendered dimensions of popular political participation, and cover the period from the eve of the Reformation to the Industrial Revolution. They challenge many existing assumptions concerning the nature and significance of public opinion and politics out-of-doors in the early modern period and show us that the people mattered in politics, and thus why we, as historians, cannot afford to ignore them. Politics was more participatory, in this undemocratic age, than one might have thought. The contributors to this volume show that there was a lively and engaged public sphere throughout this period, from Tudor times to the Georgian era.

Britain and its internal others, 1750-1800 Dana Y. Rabin 2017-10-01 The rule of law, an ideology of equality and universality that justified Britain's eighteenth-century imperial claims, was the product not of abstract principles but imperial contact. As the Empire expanded, encompassing greater religious, ethnic and racial diversity, the law paradoxically contained and maintained these very differences. This book revisits six notorious incidents that occasioned vigorous debate in London's courtrooms, streets and presses: the Jewish Naturalization Act and the Elizabeth Canning case (1753-54); the Somerset Case (1771-72); the Gordon Riots (1780); the mutinies of 1797; and Union with Ireland (1800). Each of these cases adjudicated the presence of outsiders in London - from Jews and Gypsies to Africans and Catholics. The demands of these internal others to equality before the law drew them into the legal system, challenging longstanding notions of English identity and exposing contradictions in the rule of law.

Crime in Early Modern England 1550-1750 James A Sharpe 2014-06-17 Still the only general survey of the topic available, this widely-used exploration of the incidence, causes and control of crime in Early Modern England throws a vivid light on the times. It uses court archives to capture vividly the everyday lives of people who would otherwise have left little mark on the historical record. This new edition - fully updated throughout - incorporates new thinking on many issues including gender and crime; changes in punishment; and literary perspectives on crime.

Stories of True Crime in Tudor and Stuart England Ken MacMillan 2022-09-09 Now in its second edition, *Stories of True Crime in Tudor and Stuart England* has been updated to include more texts about witchcraft, murder, and sexual deviance and discussions about the historical climate within which crimes occurred; voice and print culture; and types of crime and criminals. This volume contains modernized and annotated chapbooks related to crimes such as murder, theft, infanticide, rape, and witchcraft with accompanying illustrations that depict the acts and punishments of criminals in Tudor and Stuart England. In this edition, special attention has been paid to demonstrating significant overlaps and encouraging students to question

authors' reasonings behind including multiple crimes in a single work. Alongside this, further useful prompts have been included to stimulate discussion about why parables were used to open chapbooks, the historical context underpinning certain criminal acts, the value of these sources to scholars, and how certain texts compare and contrast with others. With five new chapters and an updated introduction and bibliography, the second edition of *Stories of True Crime in Tudor and Stuart England* is an essential resource for all students of crime and punishment in early modern England.

The State and Social Change in Early Modern England, 1550-1640 S. Hindle 2000-03-02 This is a study of the social and cultural implications of the growth of governance in England in the century after 1550. It is principally concerned with the role played by the middling sort in social and political regulation, especially through the use of the law. It discusses the evolution of public policy in the context of contemporary understandings, of economic change; and analyses litigation, arbitration, social welfare, criminal justice, moral regulation and parochial analyses administration as manifestations of the increasing role of the state in early modern England.

Clothing in 17th-Century Provincial England Danae Tankard 2019-09-05 Featuring detailed analyses of clothing culture in 17th-century provincial Sussex, this original study draws on previously unexploited sources to create an intimate and nuanced portrait of people and their clothes. An introductory chapter uses 17th-century literature to identify and explore contemporary ideas about clothing, the individual and society, as well as the relationship between London and the provinces and the causes and consequences of conspicuous clothing consumption. Subsequent chapters look at the production, distribution and acquisition of clothing in Sussex and the participation of consumers in these processes; the role of London as a centre of fashionable clothing consumption and the experience of wealthier consumers in shopping there; the clothing worn by individual men, women and older children of the 'middle' and 'better' sort and the extent to which they participated in contemporary, London-driven, fashion culture. A final chapter examines the clothing worn by the poor, including vagrants, parish paupers and the 'labouring' poor. With over 40 images *Clothing in 17th-Century Provincial England* offers a new window onto early modern experiences of clothing.

A History of Criminal Justice in England and Wales John Hostettler 2009 "An introduction to the rich history of criminal justice charting all its main developments from the dooms of Anglo-Saxon times to the rise of the Common Law, struggles for political, legislative and judicial ascendancy and the formation of the innovative Criminal Justice System of today." "The book looks at the Rule of Law, the development of the criminal courts and the people who work in them, police forces, the jury, judges, magistrates, crime and punishment. It deals with all the iconic events of criminal justice history and reform to show how criminal justice evolved." --Book Jacket.

Murder in Shakespeare's England Vanessa McMahon 2006-10-25 A social history of how murder was committed, investigated, and punished in Stuart England examines a range of specific cases while discussing the seventeenth-century public's fascination with violence as reflected in its overflowing courtrooms and numerous crime-inspired works of art.

Lordship, State Formation and Local Authority in Late Medieval and Early Modern England Spike Gibbs 2023-07-27 Shows how lordship and state formation affected local authority in the transition between medieval and early modern England.

Crime And Punishment In England John Briggs 2005-10-05 This survey of crime in ENgland from the medieval period to the present day synthesizes case-study and local-level material and standardizes the debates and issues for the student reader.

The Extraordinary and the Everyday in Early Modern England A. McShane 2010-05-28 A fascinating collection of essays by renowned and emerging scholars exploring how everyday matters from farting to friendship reveal extraordinary aspects of early modern life, while seemingly exceptional acts and beliefs - such as those of ghosts, prophecies, and cannibalism - illuminate something of the routine experience of ordinary people.

The Common Peace Cynthia B. Herrup 1989-08-25 *The Common Peace* traces the attitudes behind the enforcement of the criminal law in early modern England. Focusing on five stages in prosecution (arrest, bail, indictment, conviction and sentencing), the book uses a variety of types of sources - court records, biographical information, state papers, legal commentaries, popular and didactic literature - to reconstruct who actually enforced the criminal law and what values they brought to its enforcement. A close study of the courts in eastern Sussex between 1592 and 1640 allows Dr Herrup to show that an amorphous collection of modest property holders participated actively in the legal process. These yeomen and husbandmen who appeared as victims, constables, witnesses and jurors were as important to the credibility of the law as were the justices and judges. The uses of the law embodied the ideas of these middling men about not only law and order but also religion and good government. By arguing that legal administration was part of the routine agenda of obligation for middling property holders, Dr Herrup shows how the expectations produced by legal activities are important for understanding the decades immediately before the outbreak of the English Civil War. As the first book to use early seventeenth-century legal records outside of Essex, *The Common Peace* adopts an explicitly comparative framework, attempting to trace the ways that social conditions influenced legal process as well as law enforcement in various counties. By blending social history, legal history and political history, this volume offers a complement to more conventional studies of legal records and of local government.

Reading Material in Early Modern England Heidi Brayman Hackel 2005-02-17 *Reading Material in Early Modern England* rediscovers the practices and representations of sixteenth- and seventeenth-century English readers. By telling their stories and insisting upon their variety, Brayman Hackel displaces both the singular 'ideal' reader of literacy theory and the elite male reader of literacy history.

The Pursuit of Stability Ian W. Archer 2002 A holistic approach to interpreting early modern London society.

Boundaries of the Law Anthony Musson 2017-07-05 Exploring the boundaries of the law as they existed in medieval and early modern times and as they have been perceived by historians, this volume offers a wide ranging insight into a key aspect of European society. Alongside, and inexorably linked with, the ecclesiastical establishment, the law was one of the main social bonds that shaped and directed the interactions of day-to-day life. Posing fascinating conceptual and methodological questions that challenge existing perceptions of the parameters of the law, the essays in this book look especially at the gender divide and conflicts of jurisdiction within an historical context. In addition to seeking to understand the discrete categories into which types of law and legal rules are sometimes placed, consideration is given to the traversing of boundaries, to the overlaps between jurisdictions, and between custom(s) and law(s). In so doing it shows how law has been artificially compartmentalised by historians and lawyers alike, and how existing perceptions have been conditioned by particular approaches to the sources. It also reveals in certain case studies how the sources themselves (and attitudes towards them) have determined the limitations of historical enterprise. Adopting an interdisciplinary approach to the subject, the contributors demonstrate the fruitfulness of examining the interfaces of apparently diverse disciplines. Making fresh connections across subject areas, they examine, for example, the role of geography in determining litigation strategies, how the law interacted with social and theological issues and how fact and fiction could intertwine to promote notions of justice and public order. The main focus of the volume is upon England, but includes useful comparative papers concerning France, Flanders and Sweden. The contributors are a mixture of young and established scholars from Europe and North America offering a new and revisionist perspective on the operation of law in the medieval and early modern periods.

The Experience of Authority in Early Modern England Adam Fox 1996-08-16 This collection is concerned with the articulation, mediation and reception of authority; the preoccupations and aspirations of both governors and governed in early modern England. It explores the nature of authority and the cultural and social experiences of all social groups, especially insubordinates. These essays probe in depth the ways in which young people responded to adults, women to men, workers to masters, and the 'common sort' to their 'betters'. Early modern people were not passive receptacles of principles of authority as communicated in, for example, sermons, statutes and legal process. They actively contributed to the process of government, thereby exposing its strengths, weaknesses and ambiguities. In discussing these issues the contributors provide fresh points of entry to a period of significant cultural and socio-economic change.

Languages of Witchcraft Stuart Clark 2017-07-19 Different conceptions of the world and of reality have made witchcraft possible in some societies and impossible in others. How did the people of early modern Europe experience it and what was its place in their culture? The new essays in this collection illustrate the latest trends in witchcraft research and in cultural history in general. After three decades in which the social analysis of

witchcraft accusations has dominated the subject, they turn instead to its significance and meaning as a cultural phenomenon - to the 'languages' of witchcraft, rather than its causes. As a result, witchcraft seems less startling than it once was, yet more revealing of the world in which it occurred.

Identity, Crime and Legal Responsibility in Eighteenth-Century England D. Rabin 2004-10-20 During the eighteenth century English defendants, victims, witnesses, judges, and jurors spoke a language of the mind. With their reputations or lives at stake, men and women presented their complex emotions and passions as grounds for acquittal or mitigation of punishment. Inside the courtroom the language of excuse reshaped crimes and punishments, signalling a shift in the age-old negotiation of mitigation. Outside the courtroom the language of the mind reflected society's preoccupation with questions of sensibility, responsibility, and the self.

State Formation in Early Modern England, C.1550-1700 Michael J. Braddick 2000-12-07 This book examines the development of the English state during the long seventeenth century, emphasising the impersonal forces which shape the uses of political power, rather than the purposeful actions of individuals or groups. It is a study of state formation rather than of state building. The author's approach does not however rule out the possibility of discerning patterns in the development of the state, and a coherent account emerges which offers some alternative answers to relatively well-established questions. In particular, it is argued that the development of the state in this period was shaped in important ways by social interests - particularly those of class, gender and age. It is also argued that this period saw significant changes in the form and functioning of the state which were, in some sense, modernising. The book therefore offers a narrative of the development of the state in the aftermath of revisionism.

Moral Panics, the Media and the Law in Early Modern England D. Lemmings 2009-11-30 An exploration of links between opinion and governance in Early Modern England, studying moral panics about crime, sex and belief. Hypothesizing that media-driven panics proliferated in the 1700s, with the development of newspapers and government sensibility to opinion, it also considers earlier panics about cross-dressing and witchcraft.

Crime, Gender, and Sexuality in Criminal Prosecutions Louis A. Knafla 2002-07-30 Knafla and his contributors explore the common problems and issues that emerge from the study of class and gender in criminal prosecutions, ranging from late medieval Europe to the early 20th century. The chapters demonstrate that conceptions of crime and criminal behavior are influenced decisively by the roles of class, gender, and later race as societies evolve in search of continuity and conformity. The seven chapters in this volume, together with a major book review essay and critical reviews of sixteen major works in the area, reinforce the series as a major forum for exploring new directions in criminal justice research as it relates to issues and problems of class, gender, and race in their historical, criminological, legal, and social aspects. The chapters explore common themes and issues that emerge from the study of class and gender through policing and criminal prosecutions in the local community to growing attempts of the new nation state to gain control of the prosecutorial system. Trevor Dean and Lee Beier examine prosecutorial energy in local communities of 15th and 16th century Europe, and see instruments of peace (agreement) and war (prosecution and conviction) as worthy institutions of social control. Andrea Knox studies the prosecution of Irish women, finding that they were prominent as perpetrators of crime as well as victims. Antony Simpson shows how sexual indiscretions developed the law of blackmail in the 18th century, influencing subtle changes in gender roles. David Englander's study of Henry Mayhew reinterprets the role of class in the criminal prosecutions of the 19th century, while Arvind Verma and Philippa Levine extend the roles of class and gender that had been developed in the criminal justice system into the imperial colonies of south-east and east Asia in the 19th and early 20th centuries. An important resource for scholars, students, and researchers involved with legal, political, social, and women's history, criminal justice studies, sociology and criminology, and criminal law.

Criminal Law and Colonial Subject Paula Jane Byrne 2003-12-18 This book looks at how the practice of law developed in early New South Wales.

Women and Crime in the Street Literature of Early Modern England S. Clark 2003-10-24 Clark explores how real-life women's crimes were handled in the news media of an age before the invention of the newspaper, in ballads, pamphlets, and plays. It discusses those features of contemporary society which particularly influenced early modern crime reporting, such as attitudes to news, the law and women's rights, and ideas about the responsibility of the community for keeping order. It considers the problems of writing about transgressive women for audiences whose ideal woman was chaste, silent, and obedient.

Shakespeare and Domestic Loss Heather Dubrow 2004-01-05 This 1999 book examines Shakespeare's engagement with forms of deprivation which threatened domestic security in early modern England.

History of the Common Law John H. Langbein 2009-08-14 This introductory text explores the historical origins of the main legal institutions that came to characterize the Anglo-American legal tradition, and to distinguish it from European legal systems. The book contains both text and extracts from historical sources and literature. The book is published in color, and contains over 250 illustrations, many in color, including medieval illuminated manuscripts, paintings, books and manuscripts, caricatures, and photographs.

Gender and Policing in Early Modern England Jonah Miller 2023-06-15 This book traces the beginnings of a shift from one model of gendered power to another. Over the course of the seventeenth and early eighteenth centuries, traditional practices of local government by heads of household began to be undermined by new legal ideas about what it meant to hold office. In London, this enabled the emergence of a new kind of officeholding and a new kind of policing, rooted in a fraternal culture of official masculinity. London officers arrested, searched, and sometimes assaulted people on the basis of gendered suspicions, especially poorer women. Gender and Policing in Early Modern England describes how a recognisable form of gendered policing emerged from practices of local government by patriarchs and addresses wider questions about the relationship between gender and the state.

Mercy and Authority in the Tudor State K. J. Kesselring 2003-07-10 Using a wide range of legal, administrative and literary sources, this study explores the role of the royal pardon in the exercise and experience of authority in Tudor England. It examines such abstract intangibles as power, legitimacy, and the state by looking at concrete life-and-death decisions of the Tudor monarchs. Drawing upon the historiographies of law and society, political culture and state formation, mercy is used as a lens through which to examine the nature and limits of participation in the early modern polity. Contemporaries deemed mercy as both a prerogative and duty of the ruler. Public expectations of mercy imposed restraints on the sovereign's exercise of power. Yet the discretionary uses of punishment and mercy worked in tandem to mediate social relations of power in ways that most often favoured the growth of the state.

Criminal Jury Old and New John Hostettler 2004-09-01 This text looks at great historical, political, social and legal landmarks to show how the jury evolved to become a key democratic institution resisting attacks, pressure, interference, legal imperatives, and on occasion, apparently compelling law or evidence. Bridging past and present, the author conveys the unique nature of the jury, its central role in the administration of justice and its importance as a barrier to manipulation, oppression and abuse.

The Oxford Handbook of English Law and Literature, 1500-1700 Lorna Hutson 2017-06-15 This Handbook triangulates the disciplines of history, legal history, and literature to produce a new, interdisciplinary framework for the study of early modern England. Scholars of early modern English literature and history have increasingly found that an understanding of how people in the past thought about and used the law is key to understanding early modern familial and social relations as well as important aspects of the political revolution and the emergence of capitalism. Judicial or forensic rhetoric has been shown to foster new habits of literary composition (poetry and drama) and new processes of fact-finding and evidence evaluation. In addition, the post-Reformation jurisdictional dominance of the common law produced new ways of drawing the boundaries between private conscience and public accountability. Accordingly, historians, critics, and legal historians come together in this Handbook to develop accounts of the past that are attentive to the legally purposeful or fictional shaping of events in the historical archive. They also contribute to a transformation of our understanding of the place of forensic modes of inquiry in the creation of imaginative fiction and drama. Chapters in the Handbook approach, from a diversity of perspectives, topics including forensic rhetoric, humanist and legal education, Inns of Court revels, drama, poetry, emblem books, marriage and divorce, witchcraft, contract, property, imagination, oaths, evidence, community, local government, legal reform, libel, censorship, authorship, torture, slavery, liberty, due process, the nation state, colonialism, and empire.

Seventeenth-Century Europe Thomas Munck 2017-03-16 This thematically organised text provides a compelling introduction and guide to the key

problems and issues of this highly controversial century. Offering a genuinely comparative history, Thomas Munck adeptly balances Eastern and Southern Europe, Scandinavia, and the Ottoman Empire against the better-known history of France, the British Isles and Spain. *Seventeenth-Century Europe* - gives full prominence to the political context of the period, arguing that the Thirty Years War is vital to understanding the social and political developments of the early modern period - provides detailed coverage of the debates surrounding the 'general crisis', absolutism and the growth of the state, and the implications these had for townspeople, the peasantry and the poor - examines changes in economic orientation within Europe, as well as continuity and change in mental and cultural traditions at different social levels. Now fully revised, this second edition of a well-established and approachable synthesis features important new material on the Ottomans, Christian-Moslem contacts and on the role of women. The text has also been thoroughly updated to take account of recent research. This is a fully-revised edition of a well-established synthesis of the period from the Thirty Years War to the consolidation of absolute monarchy and the landowning society of the ancien régime. Thematically organised, the book covers all of Europe, from Britain and Scandinavia to Spain and Eastern Europe. Important new material has been added on the Ottomans, on Christian-Moslem contacts and on the role of women, and the text has been thoroughly updated to take account of recent research.

On the Parish? Steve Hindle 2004-08-05 *On the Parish?* is a study of the experience of poor relief in the rural parishes of early modern England. It explores the relationships of paupers not only to the parish officers who administered the Elizabethan poor laws but also to their kinfolk and neighbours who continued to provide extensive networks of informal support.

Common Peace The Participation And The Criminal Law In Seventeenth Century England :

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