

HST 554: CRIME AND PUNISHMENT IN EARLY MODERN EUROPE, 1400-1800

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Morton 229
Office hours: MW 9:30-11
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What do crime and punishment reveal about a particular society? How have the definition and disciplining of criminal behavior changed over time and place? Through an examination of early modern European attitudes toward crime, this course will investigate the construction of criminality, the relationship between punishment and power, and how the appropriate limits of punishment have been—and continue to be—contested and determined. In addition, it will interrogate Michel Foucault's contention in *Discipline and Punish* that the criminal, as well as the prison, was an 18th-century invention.

As we consider how the story of the past is contested and written, I hope that you will increasingly appreciate the importance of close reading, critical thinking, and creative questioning. Furthermore, I expect that you will develop your ability to ask significant questions of historical evidence, to read and interpret primary and secondary source material, to recognize interpretive differences, and to express your ideas logically and concisely.



Assignments:

- **Attendance** at all class meetings and the completion of all assigned reading before class meets. Participation in class discussion will be graded after each meeting and will comprise 20% of your final grade.
- **Biweekly discussion questions.** Your discussion questions must be emailed to the class by 2 pm on Sundays. Late questions will not be accepted as they are intended as preparation for class discussion; posting them afterwards is of no use. Please print out all questions, including your own, and bring the copies with you to class (10%).
- **Research paper** on a topic of your choosing (undergrads: 15-18 pages of text; grads: 18-22 pages). The topic is due **Sept. 15**, a thesis statement and annotated

bibliography are due **Oct. 6** (15%), a complete draft is due on **November 10** (15%), and the final paper is due **Dec. 3** (20%).

- **Poster presentation** during the last week of class. During the last two class meetings, the members of the seminar will prepare and present posters of their research and findings (10% of final grade).
- **The vocabulary** found in your readings. If you do not know the meaning of a word that you encounter, please consult the online *Oxford English Dictionary* that is available through the Randall Library web site. There may be occasional vocabulary quizzes.
- **All papers** must be grammatically flawless with all words spelled correctly. Papers will be graded on both *content* AND *grammar*. As in all humanities classes, your ability to write clearly and convincingly will be heavily weighted.
- **Paper formatting** must also be correct; all papers must be paginated, footnoted, double-spaced, with 1" margins, and typed in 12-point font. Format must follow Turabian's *A Manual for Writers of Term Papers, Theses, and Dissertations*.
- **One-page synopses** of the week's "grad student only" article are due each Wednesday. Synopses should identify the article's argument and explain how it relates to that of the week's general readings (10%).

Policies:

- **Attendance** at all class meetings and completion of all assigned reading before class starts is required.
- **Each assignment** must be handed in at the *beginning* of the class on which it is due; Furthermore, you must hand in your paper in person. I do not accept papers left in mailboxes or submitted via email. Papers will be considered late after the end of the class meeting when they are due. If you are absent from class that day, you must insure that your assignment is submitted on time nonetheless.
- **No extensions** will be granted unless you have spoken to me at least 24 hours before the due date and have explained why your assignment is delayed.
- **Late assignments** will lose one third of a grade for each day that they are overdue. After one week, a late paper will not be accepted, resulting in a zero for that assignment. Keep in mind, therefore, that even an "F" is a much higher numerical grade than a zero. *Please be sure to keep an extra hard copy of your paper as well as one on disk; if your paper is lost, you must have another to submit.*
- **All submitted work** must be original and prepared for this class alone.
- **Students are** responsible for following UNCW's policy on academic honesty. http://www.uncw.edu/policies/documents/03_100FINALHONORCODE_Aug2009.pdf. Failure to abide by the accepted standards of academic honesty must be reported to the Office of the Dean of Students and will result in an F for the course.
- **We all have varying abilities;** we all carry various strengths and weaknesses.

Some of these might even be documented with a place like the Office of Disability Services (2-7555). If so, please let me know as soon as possible in the semester. With or without documentation, it is my intent to make this learning experience as accessible as possible. With documentation, I am more than happy to provide any accommodations that have probably been best determined in advance by the student and the DS staff. Please let me know now what we can do to maximize your learning potential, participation, and general access in this course. I am available to meet with you in person or to discuss such things on email.

On writing discussion questions:

Seminar participants will be assigned to one of two groups on the first day of class. On alternate Mondays, each of the members of one group will be responsible for individually generating *two* questions derived from the week's readings. These questions must be emailed to the seminar participants by 2 pm on Sunday, the day before class. Questions should be approximately 100 to 150 words. Whether the questions address one specific passage or refer to a number of texts, they should catalyze a thoughtful, productive, and original discussion of the material. They might begin with a short quotation, but the question posed should lead the class to a larger discussion of the issues raised by the work. The line of inquiry developed should demonstrate close reading and critical thinking.

Our discussions will be structured around your questions, so the members of the group that does *not* post questions on a given week will be responsible for preparing thoughtful answers in response. Weekly questions will comprise 15% of your grade; participation in discussion will comprise another 20%.

On class participation:

Participation in class discussions, aside from its intrinsic merits, is also a large percentage (20%) of your final grade. Because the majority of our class time will be spent in discussions, the success of the course requires that each participant be ready to articulate and defend his or her ideas, as well as to listen to and work with the ideas of the other participants. Each member of the class is therefore responsible for the following:

- preparing questions; come to class with issues about the material already in mind;
- generating discussion; raise issues for other members to debate and be receptive to opinions which differ from your own; and
- augmenting discussion; respond to the comments of others with ideas that carry our discussions to a higher level.

On matters of etiquette:

Email: the best way to contact me outside of class or office hours is email. Please keep in mind that any correspondence sent to one of your professors should err on the side of formality. Therefore, always include a salutation ('Dear Dr. Mollenauer'), employ proper grammar, punctuation, and capitalization, and identify yourself and the course in which you are enrolled. When UNCW is in session, I will endeavor to respond to emails within one day.

Computers: Students using laptops for any other purpose than taking notes (say, updating your Facebook profile) will no longer be permitted to use their computers in class.

Cell phones: Please turn cell phones off during class, and refrain from texting during discussion. I can see you. Really.

Required books (available at the UNCW Bookstore and on reserve at Randall Library):

- Cynthia Herrup, *A House in Gross Disorder* (Oxford, 1999)
- Thomas V. Cohen and Elizabeth S. Cohen, *Words and Deeds in Renaissance Rome* (Toronto, 2000)
- Edward Muir, *Mad Blood Stirring* (Johns Hopkins, 1998)
- Pieter Spierenburg, *A History of Murder: Personal Violence from the Middle Ages to the Present Day* (Polity, 2008)
- *The Trial of Tempel Anneke*, ed. Peter Morton (Broadview, 2006)
- Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in 16th-Century France* (Stanford University Press, 1987)

SCHEDULE : Assigned reading must be finished by the day indicated.

Readings found on electronic reserve are marked with an "R" in the syllabus.

Aug. 18 **Week 1**
W: Introduction

Aug. 23 **Week 2**
A Trial for Witchcraft
M: Morton, ed., *The Trial of Tempel Anneke*, entire including introduction

W: Class project: The Trial of Tempel Anneke

Grads:

R Brian P. Levack, "State Building and Witch Hunting in Early Modern Europe"

Aug. 30

Week 3

History From Crime

R **M:** Muir and Ruggerio, *History from Crime*, Introduction (class handout)

Cohen and Cohen, *Words and Deeds in Renaissance Rome*, Introduction and Chs. 1 and 5

W: LIBRARY SESSION, RANDALL LIBRARY 1022

Read <http://opinionator.blogs.nytimes.com/2010/08/09/plagiarism-is-not-a-big-moral-deal/?hp>

Grads:

R Giovanna Fiume, "The Old Vinegar Lady, or the Judicial Modernization of the Crime of Witchcraft"

Sept. 6

Week 4

Interpersonal Violence

M: Labor Day, no class

W: Cohen and Cohen, *Words and Deeds*, Chs. 2-4

R Samuel K. Cohn, Jr., "Sex and Violence on the Periphery," in *Women in the Streets*

Grads:

R R. W. Connell, "The History of Masculinity"

Sept. 13

Week 5

The Civilizing Process

M: Muir, *Mad Blood Stirring*, Preface and Chs. 1-3

Before you hand in your research topic this Wednesday, carefully read:

"How to Ask Good Questions" and "What Makes a Question Good?"

<http://academic.bowdoin.edu/WritingGuides/>

W: Muir, *Mad Blood Stirring*, Chs. 4-Conclusion

RESEARCH PAPER TOPIC DUE: Hand in a one-paragraph proposal that states your research question and identifies the sources that you will draw

upon to answer it

Grads:

Natalie Davis, "The Rites of Violence," *Past and Present* 59 (1973): 51-91. JSTOR

Sept. 20

Week 6

Research conferences

M: Individual conferences

W: Individual conferences

Sept. 27

Week 7

Murder

M: Spierenburg, *A History of Murder*, Chs. 1-3

W: Spierenburg, *A History of Murder*, Chs. 4-5 and Conclusion

Grads:

James R. Farr, "The Death of a Judge: Performance, Honor, and Legitimacy in 17th-Century France," *Journal of Modern History* 75(March 2003): 1-22. JSTOR

Oct. 4

Week 8

M: Fall Break, NO CLASS

W: THESIS STATEMENT AND ANNOTATED BIBLIOGRAPHY DUE

(U'grads: 15 journal articles, 8 books, primary sources; Grads 18 journal articles, 12 books, primary sources)

Oct. 11

Week 9

Religious Transgressions

R **M:** John Bossy, "Moral Arithmetic: Seven Sins into Ten Commandments"

R Cavazza, "Double Death," in *History From Crime*

R Ruggerio, Ch. 4, "The Women Priests of Latisana," in *Binding Passions*

W: Show and Tell Day

Prepare a 5-minute presentation on your best primary sources that establishes its importance and elucidates its relevance to your research topic

Grads:

John Bossy, "The Mass as a Social Institution, 1200-1700," *Past and Present* 1983
100(1): 29-61 JSTOR

Oct. 18

Week 10

The Power of Narrative

M: Davis, *Fiction in the Archives*, Introduction and Chs. 1 & 2

W: Davis, *Fiction in the Archives*, Ch. 3

Grads:

James M. Sharpe, "'Last Dying Speeches': Religion, Ideology, and Public Executions in 17th-Century England," *Past and Present* 107 (May 1985): 144-167.
JSTOR

Oct. 25

Week 11

Sexual Transgressions

M: Cynthia Herrup, *A House in Gross Disorder*, Introduction and Chs. 1-4

W: Cynthia Herrup, *A House in Gross Disorder*, Ch. 5-6

Grads:

R Randolph Trumbach, "The Birth of the Queen"

Nov. 1

Week 12

Disciplining the Body, Disciplining the Soul

R **M:** Michel Foucault, *Discipline and Punish: The Birth of the Prison*, Chs. 1 and 2

W: CSURF Poster "How-To" Session

Grads:

R David Garland, "Punishment and Culture: The Symbolic Dimensions of Criminal Justice"

Nov. 8

Week 13

The Theater of Justice

R **M:** Peter Linebaugh, "The Tyburn Riot Against the Surgeons," in *Albion's Fatal Tree*

R Paul Friedland, "Beyond Deterrence: Cadavers, Effigies, Animals, and the Logic of

Executions in Premodern France”

W: FIRST DRAFTS DUE

Writing workshop: Please bring TWO copies of your first draft to class

Nov. 15

Week 14

M: First Draft Conferences

W: First Draft Conferences

Submit poster slides to CSURF no later than Friday, Nov. 19

Nov. 22

Week 15

M: First Draft Conferences

W: Thanksgiving Break, NO CLASS

Nov. 29

Week 16

M: Poster Session I

W: Poster Session II

FINAL PAPERS DUE 12:00 Monday, December 3

Some Useful Internet Resources

Internet Archive of Witchcraft Texts and Documents

<http://history.hanover.edu/early/wh.html>

Eighteenth-Century Resources

<http://andromeda.rutgers.edu/~jlynch/18th/history.html>

Early Modern Bibliographies: Crime, Law, and Order

<http://earlymodernweb.freehostia.com/wikindx/index.php>

Voice of the Shuttle

<http://vos.ucsb.edu/>

Proceedings of the Old Bailey, 1674-1834

<http://www.oldbaileyonline.org/>

Internet History Sourcebooks Project

<http://www.fordham.edu/halsall/>

Cornell University Witchcraft Collection

<http://digital.library.cornell.edu/w/witch/index.html>

Tyburn Tree: Execution in Early Modern England

<http://www.evergreen.loyola.edu/%7Ecmitchell/>

The Newgate Calendar

<http://tarlton.law.utexas.edu/lpop/etext/completenewgate.htm>

Citations of assigned works:

Brian P. Levack, "State Building and Witch Hunting in Early Modern Europe," in *Witchcraft in Early Modern Europe: Studies in Culture and Belief*, ed. Jonathan Barry, Marianne Hester, and Gareth Roberts (Cambridge: Cambridge University Press, 1996). 96-115.

Edward Muir and Guido Ruggerio, "Introduction," in *History from Crime*, in *History from Crime*, ed. Muir and Ruggerio (Baltimore: Johns Hopkins University Press, 1994) vii-xviii

Giovanna Fiume, "The Old Vinegar Lady, or the Judicial Modernization of the Crime of Witchcraft," in *History from Crime*, ed. Muir and Ruggerio (Baltimore: Johns Hopkins University Press, 1994) 65-87.

R. W. Connell, "The History of Masculinity," *Masculinities* (Berkeley: University of California Press, 1995) 185-203, 253-5.

Natalie Zemon Davis, "The Rites of Violence," *Past and Present* 59 (1973): 51-91.

James R. Farr, "The Death of a Judge: Performance, Honor, and Legitimacy in 17th-Century France," *Journal of Modern History* 75(March 2003): 1-22

Samuel K. Cohn, Jr. "Sex and Violence on the Periphery," in *Women in the Streets: Essays on Sex and Power in Renaissance Italy* (Baltimore: Johns Hopkins University Press, 1996) 98-136.

James M. Sharpe, "'Last Dying Speeches': Religion, Ideology, and Public Executions in 17th-Century England," *Past and Present* 107 (May 1985): 144-167.

John Bossy, "Moral Arithmetic: Seven Sins into Ten Commandments," in *Conscience and Casuistry in Early Modern Europe*, ed. Edmund Leites (Cambridge, 1985): 214-234

Silvano Cavazza, "Double Death: Resurrection and Baptism in a 17th-Century Rite," in *History from Crime*, ed. Muir and Ruggerio (Baltimore: Johns Hopkins University Press, 1994) 1-31.

Guido Ruggerio, "Ch. 4: The Women Priests of Latisana: Apollonia Madizza and the Ties that Bind," in *Binding Passions: Tales of Magic, Marriage, and Power at the End of the Renaissance* (New York: Oxford University Press, 1993) pp. 130-174

John Bossy, "The Mass as a Social Institution, 1200-1700," *Past and Present* 100(1): 29-61

Randolph Trumbach, "The Birth of the Queen," in *Hidden From History: Reclaiming the Gay and Lesbian Past*, Martin Dublerman, Martha Vicinius, and George Chauncey, Jr., eds. (New York: Meridian Press, 1990) 129-140.

Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1979) Chs. 1 and 2

Peter Linebaugh, "The Tyburn Riot Against the Surgeons," *Albion's Fatal Tree*, ed. Douglas Hay et.al., (Pantheon Books, 1975) 65-117.

David Garland, "Punishment and Culture: The Symbolic Dimensions of Criminal Justice," *Studies in Law, Politics, and Society* 11 (1991)

Paul Friedland, "Beyond Deterrence: Cadavers, Effigies, Animals, and the Logic of Executions in Premodern France," *Historical Reflections/Réflexions Historiques* 20 (2): 295-317