

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

As recognized, adventure as competently as experience practically lesson, amusement, as capably as bargain can be gotten by just checking out a books **Common Peace The Participation And The Criminal Law In Seventeenth century England** also it is not directly done, you could put up with even more nearly this life, in this area the world.

We present you this proper as skillfully as easy mannerism to get those all. We have enough money Common Peace The Participation And The Criminal Law In Seventeenth century England and numerous ebook collections from fictions to scientific research in any way. accompanied by them is this Common Peace The Participation And The Criminal Law In Seventeenth century England that can be your partner.

Theories and Origins of the Modern Police - Clive Emsley 2017-07-05

This volume is the first of four that will provide some of the most significant, English-language articles on the historical development of the police institution. The articles included in this volume are broadly of two kinds. The first introduce some of the theoretical outlines that have been suggested for the origins and development of modern police institutions across Europe. The second explore the systems of enforcement, and the criticisms of them, that had emerged on the eve of the revolutionary upheavals which convulsed Europe and inflicted a terminal blow to the ancien rme at the close of the eighteenth century.

[The Oxford Handbook of English Law and Literature, 1500-1700](#) - Lorna Hutson 2017

"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"--Book jacket.

Cities Divided - John Miller 2007-03-29

The religious and political history of late seventeenth- and early

eighteenth-century England is typically written in terms of conflict and division. This was the period when party conflict - exacerbated by religious enmities - became a normal part of English life. Rather than denying the importance of partisan divisions, this book reveals how civic celebration, designed as an expression of unity and amity, was often used for partisan purposes, reaching a peak in the 1710s. The animosities were most marked in elections, which were often corrupt and drunken, and sometimes very violent. But division and conflict were not universal. Many towns avoided electoral contests, not because they were in the pocket of a great aristocrat, but as a matter of deliberate policy. Despite occasional disorder, urban government rarely broke down, and even violent elections ended with bruises rather than fatalities. Professor Miller suggests an explanation for this in the nature of urban governance. While the formal structures of town government were profoundly undemocratic - vacancies on corporations were most often filled by co-option - there was much participation, consultation, and negotiation in the lower levels of government. In addition, corporation members lived in close proximity to, and did business with, their fellow townspeople, and needed to meet their expectations. These expectations might have been modest - they wanted streets to be reasonably clean and kept in adequate repair, sewage and rubbish to be removed, law and order maintained, and the deserving poor relieved. But they were the things that made daily life tolerable, and for many they mattered more than politics.

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.

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.

Documents on the Tokyo International Military Tribunal - Neil Boister
2008-09-25

These volumes reproduce a collection of documents relating to the Tokyo International Military Tribunal. The full text of the majority judgment, separate and dissenting opinions, charter, indictment, and rules of procedure are included. The documents are indexed and introduced by leading scholars in the field.

Modern Histories of Crime and Punishment - 2007-07-18

This is a collection of essays critically examining the historical development of the modern criminal law.

Prosecution and Punishment - Robert B. Shoemaker 1991-08-30

This book offers an assessment of the social significance of the law in pre-industrial England.

A Companion to Stuart Britain - Barry Coward 2008-04-15

Covering the period from the accession of James I to the death of Queen Anne, this companion provides a magisterial overview of the 'long' seventeenth century in British history. Comprises original contributions by leading scholars of the period Gives a magisterial overview of the 'long' seventeenth century Provides a critical reference to historical debates about Stuart Britain Offers new insights into the major political, religious and economic changes that occurred during this period Includes bibliographical guidance for students and scholars

Gender and Petty Crime in Late Medieval England - Karen Jones 2006

First full-length study of the relations between gender and crime in late medieval England.

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.

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.

Crime and Mentalities in Early Modern England - Malcolm Gaskill 2003-01-30

An exploration of the cultural contexts of law-breaking and criminal prosecution in England, 1550-1750.

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.

Dangerous Familiars - Frances E. Dolan 1994

Even now in the mass media, women are often portrayed as murderers in their own homes, although in reality women are much more likely to be the victims of domestic violence than the perpetrators. Looking back at images of violence in the popular culture of early modern England, we find similar misperceptions. The specter of the murderer loomed most vividly not in the stranger, but in the familiar; and not in the master, husband, or father, but in the servant, wife, or mother. A gripping exploration of seventeenth-century accounts of domestic murder in fact

and fiction, this book is the first to ask why. Frances E. Dolan examines stories ranging from the profoundly disturbing to the comically macabre: of husband murder (legally defined as "petty treason"), wife murder (or "petty tyranny"), infanticide, and witchcraft. She surveys trial transcripts, confessions, and gallows speeches, as well as pamphlets, ballads, popular plays based on notorious crimes, and such well-known works as *The Tempest*, *Othello*, *Macbeth*, and *The Winter's Tale*. Citing contemporary analogies between the politics of household and commonwealth, she shows how both legal and literary narratives attempt to restore the order threatened by insubordinate dependents.

Representations of women who plot to kill their husbands, masters, children, and neighbors, she finds, articulate fears of women's sexual appetites and capacities for violence, as well as anxieties about the perils of intimacy and the instability of class and gender positions. In an epilogue, Dolan envisions literary history itself as a battle to the death among generic intimates. The novel is cast in this drama as the rebellious off-spring of pamphlet and ballad, a ruthless heir that flourished through its readiness to devour its parents.

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.

A History of Criminal Justice in England and Wales - John Hostettler 2009-01

This brand new work charts all the main developments of criminal justice in England, from the genesis of Anglo-Saxon 'dooms' to the Common Law; struggles for political, legislative, and judicial ascendancy; and the formation of the modern-day Criminal Justice System and Ministry of Justice. Amongst a wealth of topics, the book looks at the Rule of Law, the development of the criminal courts, police forces, the jury, justices of the peace, and individual crimes and punishments. It locates all the iconic events of legal history and law and order within a wider background and context in a way that emphasizes the subject's wealth

and depth. Contents include: Origins of Criminal Justice in Anglo-Saxon England • Saxon Dooms — Our Early Laws • The Norman Influence and The Angevin Legacy • Criminal Law in Medieval and Early Modern England • The Common Law in Danger • The Commonwealth • The Whig Supremacy and Adversary Trial • The Jury in the Eighteenth Century • Punishment and Prisons • Nineteenth Century Crime and Policing • Victorian Images • A Century of Criminal Law Reform • Criminal Incapacity • A Revolution in Procedure • Early Twentieth Century • Improvement after World War II • Twenty-First Century Regression? • The Advent of Restorative Justice • Conclusion • Select Bibliography
The Specter of Peace - 2018-06-26

Specter of Peace challenges historians to take peace as seriously as violence. Early American peacemaking was a productive discourse of moral ordering fundamentally concerned with regulating violence. Histories of peacemaking, the volume argues, sharpens our understanding of colonialism and empire.

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.

Crime, Gender and Social Order in Early Modern England - Garthine Walker 2003-06-12

An extended study of gender and crime in early modern England. It considers the ways in which criminal behaviour and perceptions of criminality were informed by ideas about gender and order, and explores their practical consequences for the men and women who were brought before the criminal courts. Dr Walker's innovative approach demonstrates that, contrary to received opinion, the law was often structured so as to make the treatment of women and men before the courts incommensurable. For the first time, early modern criminality is

explored in terms of masculinity as well as femininity. Illuminating the interactions between gender and other categories such as class and civil war have implications not merely for the historiography of crime but for the social history of early modern England as a whole. This study therefore goes beyond conventional studies, and challenges hitherto accepted views of social interaction in the period.

Australian journal of legal history - 1997

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.

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.

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.

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.

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 Law in Shakespeare - C. Jordan 2006-12-12

Leading scholars in the field analyze Shakespeare's plays to show how their dramatic content shapes issues debated in conflicts arising from the creation and application of law. Individual essays focus on such topics such as slander, revenge, and royal prerogative; these studies reveal the problems confronting early modern English men and women.

The People and Their Peace - Laura F. Edwards 2014-06-30

In the half-century following the Revolutionary War, the logic of inequality underwent a profound transformation within the southern legal system. Drawing on extensive archival research in North and South Carolina, Laura F. Edwards illuminates those changes by revealing the importance of localized legal practice. Edwards shows that following the Revolution, the intensely local legal system favored maintaining the "peace," a concept intended to protect the social order and its patriarchal hierarchies. Ordinary people, rather than legal professionals and political leaders, were central to its workings. Those without rights--even slaves--had influence within the system because of their positions of

subordination, not in spite of them. By the 1830s, however, state leaders had secured support for a more centralized system that excluded people who were not specifically granted individual rights, including women, African Americans, and the poor. Edwards concludes that the emphasis on rights affirmed and restructured existing patriarchal inequalities, giving them new life within state law with implications that affected all Americans. Placing slaves, free blacks, and white women at the center of the story, *The People and Their Peace* recasts traditional narratives of legal and political change and sheds light on key issues in U.S. history, including the persistence of inequality--particularly slavery--in the face of expanding democracy.

Historical Origins of International Criminal Law - Morten Bergsmo
2015-11-19

Urbane and Rustic England - Carl B. Estabrook 1998

The rapid growth and renewed vitality of English cities and towns in the century after 1660 was remarkable. But what was the effect of this urban renaissance on villages and those ordinary people whose roots were in the countryside?

Shakespeare, Revenge Tragedy and Early Modern Law - Derek Dunne
2016-04-12

This book, the first to trace revenge tragedy's evolving dialogue with early modern law, draws on changing laws of evidence, food riots, piracy, and debates over royal prerogative. By taking the genre's legal potential seriously, it opens up the radical critique embedded in the revenge tragedies of Kyd, Shakespeare, Marston, Chettle and Middleton.

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.

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.

Evidence in the Age of the New Sciences - James A.T. Lancaster
2018-10-24

The motto of the Royal Society—Nullius in verba—was intended to highlight the members' rejection of received knowledge and the new place they afforded direct empirical evidence in their quest for genuine, useful knowledge about the world. But while many studies have raised questions about the construction, reception and authentication of knowledge, *Evidence in the Age of the New Sciences* is the first to examine the problem of evidence at this pivotal moment in European intellectual history. What constituted evidence—and for whom? Where might it be found? How should it be collected and organized? What is the relationship between evidence and proof? These are crucial questions, for what constitutes evidence determines how people interrogate the world and the kind of arguments they make about it. In this important new collection, Lancaster and Raiswell have assembled twelve studies that capture aspects of the debate over evidence in a variety of intellectual contexts. From law and theology to geography, medicine and experimental philosophy, the chapters highlight the great diversity of approaches to evidence-gathering that existed side by side in the sixteenth and seventeenth centuries. In this way, the volume makes an important addition to the literature on early science and knowledge formation, and will be of particular interest to scholars and advanced students in these fields.

Shakespeare and the Law - Bradin Cormack 2016-07-11

"William Shakespeare is inextricably linked with the law. Legal documents make up most of the records we have of his life; trials, lawsuits, and legal terms permeate his plays. Gathering an extraordinary team of literary and legal scholars, philosophers, and even sitting judges, *Shakespeare and the Law* demonstrates that Shakespeare's thinking

about legal concepts and legal practice points to a deep and sometimes vexed engagement with the law's technical workings, its underlying premises, and its social effects. Shakespeare and the Law opens with three essays that provide useful frameworks for approaching the topic, offering perspectives on law and literature that emphasize both the continuities and the contrasts between the two fields. In its second section, the book considers Shakespeare's awareness of common-law thinking and practice through examinations of Measure for Measure and Othello. Building and expanding on this question, the third part inquires into Shakespeare's general attitudes toward legal systems. A judge and former solicitor general rule on Shylock's demand for enforcement of his odd contract; and two essays by literary scholars take contrasting views on whether Shakespeare could imagine a functioning legal system. The fourth section looks at how law enters into conversation with issues of politics and community, both in the plays and in our own world. The volume concludes with a freewheeling colloquy among Supreme Court Justice Stephen G. Breyer, Judge Richard A. Posner, Martha C. Nussbaum, and Richard Strier that covers everything from the ghost in Hamlet to the nature of judicial discretion"--Jacket.

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.

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.

Crime, Histoire et Sociétés, 2001/2 -

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.

Reading, Society and Politics in Early Modern England - Kevin Sharpe 2003-07-10

This book charts the changes in reading habits that reflect broader social and political shifts in early modern England.