

HST 304.81593/81594: Crime and Punishment in Early Modern Europe

Fall 2022

Online

Instructor: Stephen Lazer

Email: slazer@asu.edu

Zoom link: <https://asu.zoom.us/j/91031051324>

Office hours: TR 1:30-3:00 and by appointment

Office hours are the times when I am guaranteed to be in my office and available to talk in person or on zoom. If those times do not work for you, I am happy to make an appointment. Or just stop by! I am often in my office.

This course covers the history of crime and the investigation, interrogation, and punishment of criminals during the early modern period in Europe (1500-1789). It explores how authorities, commoners, and criminals themselves viewed criminal activity and the broader historical reasons that patterns of crime changed over time. From a political standpoint, it covers the influence of Roman and common law, growing state authority, the inquisitorial and accusatorial processes, and the developing professional judiciaries in improving the state's reach. From a social and cultural perspective, court records will allow us to engage with the worldview of potential criminals themselves.

Student Learning Outcomes

1. Students will be able to understand and describe the rise and practices of the major European legal systems
2. Students will be able to understand and describe the mutually legitimizing relationships between political, religious, cultural, and legal institutions
3. Students will be able to analyze primary and secondary sources alone and in relationship to each other
4. Students will be able to clearly and effectively articulate an original interpretation of historical questions and concepts in written form
5. Students will be able to clearly and effectively articulate an original interpretation of historical questions and concepts in written form

Readings: The following books are required and are available for purchase at the campus bookstore, although you may, of course, purchase them online (for example, amazon.com) or elsewhere if you wish. Other sources will be posted online directly or as links. **All required book are available online as e-books.**

Harrington, Joel F. *The Executioner's Journal: Meister Frantz Schmidt of the Imperial City of Nuremberg*. University of Virginia Press: 2016.

Beccaria, Cesare. *On Crimes and Punishments and Other Writings*. Translated by Aaron Thomas and Jeremy Parzen. University of Toronto Press: 2006.

MacMillan, Ken, ed. *Stories of True Crime in Tudor and Stuart England*. Routledge: 2015.

You may find the following websites useful when writing papers:

William Strunk, Jr. *The Elements of Style*. Available at: <http://www.bartleby.com/141/> ([Links to an external site.](#))[Links to an external site.](#)

The Purdue OWL: <https://owl.english.purdue.edu/owl/> ([Links to an external site.](#))[Links to an external site.](#)

For Turabian footnotes and bibliography help:
http://www.press.uchicago.edu/books/turabian/turabian_citationguide.html

Class requirements:

Students are expected to complete all assigned readings *before* the online discussion. While students should always carefully read all assignments beforehand, this is particularly important for primary source documents, as you cannot discuss them if you have not read and thought about them beforehand. You will be graded based on your performance in class discussions, weekly quizzes, and two papers. The dates for the papers are listed below.

Written Assignments 38% (19% each)

You will write two (2) papers based on your analysis of the lectures and the primary and secondary source readings. I will post your topics at least a week before it is due. These papers will require you to make and defend strong academic arguments. These will be graded on whether or not they have clear thesis and topic sentences with a clear argument, the strength, clarity and development of the argument, the use of evidence from the sources, and writing style. These must be uploaded to Canvas through the plagiarism detector. Rubrics are available on the assignment page and on the speedgrader page.

All papers (short and long) must be in 12-point Times New Roman font, double-spaced, with one inch margins. I have posted a series of writing tips and strategies on the course website that I encourage you to read as it comes from years of experience with undergraduates, colleagues, and

my own writing. It also includes a list of simple errors that, because they are easy fixes (unlike, say, analysis, which is *not* easy), will result in **automatic deductions to your paper's grade**. You will also find a peer-review sheet if you wish to practice peer-review with a classmate. These peer-review sheets are also good checklists for self-review.

Optional Special Paper (1/3 of a grade bonus)

You have the opportunity to design an additional paper of your own design of at least 1,000 words or another kind of creative project that approximates the same workload and depth. If you complete a special paper or project of your own design and earn at least a B- on it you will also receive **an extra third of a grade** at the end of the semester. I.e., if you had earned a B for the whole course and wrote an additional paper of your own design, your final grade would actually be a B+.

Please feel free to contact me to discuss ideas and note that I must have approve the idea no later than the end of Module 5, and preferably earlier so you can get started on it. Your topic must engage with early modern crime and punishment and you will be expected to use at least five (5) primary sources. Some suggested places for finding primary sources, emphasizing England because of ease of language:

- Eighteenth Century Collections Online(<https://libguides.asu.edu/18centcoll>(Links to an external site.)Links to an external site.)
- Eurodocs - Primary Historical Documents from Western Europe(Links to an external site.)Links to an external site. (http://eudocs.lib.byu.edu/index.php/Main_Page (Links to an external site.)Links to an external site.)
- Connected Histories(Links to an external site.)Links to an external site. (<http://www.connectedhistories.org> (Links to an external site.)Links to an external site.)
- Other primary source websites we are encountering this semester

I encourage you to look at ASU's primary source library guides for other primary sources in Western Europe (<https://libguides.asu.edu/c.php?g=263790&p=1762127#s-lg-box-5395098> (Links to an external site.)Links to an external site.)

Syllabus Quiz (2%)

You are all expected to carefully read the syllabus and then take and get a perfect score on the syllabus quiz. You may take the syllabus quiz as many times as you would like until you get that perfect score. However, I will not accept or grade any work from you **until** you have successfully completed it.

Weekly Quizzes (10%)

Each module (except the first) will have a short, 5-10 question multiple choice quiz **due Wednesday** based on the week's lectures. The purpose of these quizzes is to help keep you on a positive pace for the semester's work, as the lectures are there to help you analyze the sources. The quizzes are also meant as a reward for keeping a good pace, as they are designed to be relatively easy. The lowest weekly quiz grade will be dropped.

Discussion (50%)

You are expected to participate *actively and vigorously* in weekly discussions on Canvas. These discussions are generally focused on the week's primary or secondary source readings. You will post a minimum of one (1) initial response to one of the week's posted questions by 11:59 PM on Wednesday and at least two (2) carefully-considered and detailed responses to classmates by 11:59 PM on Friday. **At least one of your responses must be to a classmate who answered a different question than you did in your initial post.** Your initial posts, in particular, should include **in-text parenthetical citations** to the sources (last name, page number). While I will not grade your discussions for grammar and style like I will your academic papers, I still encourage you to edit them carefully before posting, as clarity is an important aspect of discussion.

Note: the discussion dates for the first two modules' discussions may be different. See class plan for details.

The lowest week's discussion grade will be dropped.

Grading Scale

This class uses the classic letter-based grading scale with pluses and minuses. So a B+ is 88, a C- is 72, an A is 95, etc. (an A+ is 100). All your grades, even those figured numerically like the midterm and final, will be in letter form, which almost always slightly boosts your grade. If you have any questions, please ask.

Papers	38%
Weekly Quizzes	10%
Syllabus Quiz	2%
Discussion	50%

Online Course

This is an online course. There are no face-to-face meetings. You can log into your course via MyASU at <https://my.asu.edu>Links to an external site. or the Canvas home page at <https://asu.instructure.com/>

Email and Internet

ASU email is an [official means of communication](#)[Links to an external site.](#) among students, faculty, and staff. Students are expected to read and act upon email in a timely fashion. Students bear the responsibility of missed messages and should check their ASU-assigned email regularly.

All instructor correspondence will be sent to your ASU email account.

If you use another email account, it is a good idea to forward messages from your ASU account to the other account.

Course Time Commitment

This three-credit course requires approximately 135 hours of work. Being a six-week course, expect to spend around 18 hours each week preparing for and actively participating in this course.

Late or Missed Assignments

Published assignment due dates and times (Arizona Mountain Standard time) are firm. Late papers will be accepted but *severely penalized* at the rate of **five percentage points** for each day your paper is late. Discussion posts and quizzes cannot be made up late without a legitimate excuse. Legitimate excuses for an extension are your own illness or an illness or death in your immediate family, at which point we will work together to determine when and how to make up missed assignments or exams. Travel plans (except in the case of a major religious holiday falling on class day), your job, and a hungry computer are *not* acceptable excuses. Please inform me by email as soon as possible if you need an extension under those circumstances, preferably *before* a due date. I reserve the right to request written documentation to support all claims of emergency.

Please follow the appropriate University policies to request an [accommodation for religious practices](#)[Links to an external site.](#) or to accommodate a missed assignment [due to University-sanctioned activities](#)[Links to an external site.](#)

Drop and Add Dates/Withdrawals

This course adheres to a compressed schedule and may be part of a sequenced program, therefore, there is a limited timeline to [drop or add the course](#)[Links to an external site.](#). Consult with your advisor and notify your instructor to add or drop this course. If you are considering a withdrawal, review the following ASU policies: [Withdrawal from Classes](#)[Links to an external site.](#), [Medical/Compassionate Withdrawal](#)[Links to an external site.](#), and a [Grade of Incomplete](#)[Links to an external site.](#)

Grade Appeals

Grade disputes must first be addressed by discussing the situation with the instructor. If the dispute is not resolved with the instructor, the student may appeal to the department chair per the [University Policy for Student Appeal Procedures on GradesLinks to an external site.](#)

Student Conduct and Academic Integrity

Academic honesty is expected of all students in all examinations, papers, laboratory work, academic transactions and records. The possible sanctions include, but are not limited to, appropriate grade penalties, course failure (indicated on the transcript as a grade of E), course failure due to academic dishonesty (indicated on the transcript as a grade of XE), loss of registration privileges, disqualification, and dismissal. For more information, see <http://provost.asu.edu/academicintegrityLinks to an external site.> Additionally, required behavior standards are listed in the [Student Code of Conduct and Student Disciplinary ProceduresLinks to an external site.](#), [Computer, Internet, and Electronic Communications policyLinks to an external site.](#), and outlined by the [Office of Student Rights & ResponsibilitiesLinks to an external site.](#) Anyone in violation of these policies is subject to sanctions.

Any student caught cheating or plagiarizing will *automatically fail* the course. It is this instructor's policy that students caught plagiarizing will receive an XE, that is, course failure due to academic dishonesty. According to ASU's academic integrity page on avoiding plagiarism: "Plagiarism may be the most common form of academic dishonesty and is often unintentional. Protect yourself by understanding how to avoid plagiarism with these resources:

The Governors of Acadia University's [interactive video on plagiarismLinks to an external site.](#)
The Purdue Online Writing Lab's (OWL) [Avoiding PlagiarismLinks to an external site.](#)"

[Students are entitled to receive instruction free from interferenceLinks to an external site.](#) by other members of the class. An instructor may withdraw a student from the course when the student's behavior disrupts the educational process per [Instructor Withdrawal of a Student for Disruptive Classroom BehaviorLinks to an external site.](#)

Appropriate online behavior (also known as netiquette) is defined by the instructor and includes keeping course discussion posts focused on the assigned topics. Students must maintain a cordial atmosphere and use tact in expressing differences of opinion. Inappropriate discussion board posts may be deleted by the instructor.

The Office of Student Rights and Responsibilities accepts [incident reportsLinks to an external site.](#) from students, faculty, staff, or other persons who believe that a student or a student organization may have violated the Student Code of Conduct.

Prohibition of Commercial Note Taking Services

In accordance with [ACD 304-06 Commercial Note Taking ServicesLinks to an external site.](#), written permission must be secured from the official instructor of the class in order to sell the instructor's communication in the form of notes. Notes must have the notetaker's name as well as the instructor's name, the course number, and the date.

Course Evaluation

Students are expected to complete the course evaluation. The feedback provides valuable information to the instructor and the college and is used to improve student learning. Students are notified when the online evaluation form is available.

Syllabus Disclaimer

The syllabus is a statement of intent and serves as an implicit agreement between the instructor and the student. Every effort will be made to avoid changing the course schedule but the possibility exists that unforeseen events will make syllabus changes necessary. Please remember to check your ASU email and the course site often.

Accessibility Statement

In compliance with the Rehabilitation Act of 1973, Section 504, and the Americans with Disabilities Act as amended (ADAAA) of 2008, professional disability specialists and support staff at the Disability Resource Center (DRC) facilitate a comprehensive range of academic support services and accommodations for qualified students with disabilities.

[Qualified students with disabilities may be eligible to receive academic support services and accommodationsLinks to an external site.](#). Eligibility is based on qualifying disability documentation and assessment of individual need. Students who believe they have a current and essential need for disability accommodations are [responsible for requesting accommodations and providing qualifying documentationLinks to an external site.](#) to the DRC. Every effort is made to provide reasonable accommodations for qualified students with disabilities.

Qualified students who wish to request an accommodation for a disability should contact the DRC by going to <https://eoss.asu.edu/drcLinks to an external site.>, calling (480) 965-1234 or emailing DRC@asu.edu.

To speak with a specific office, please use the following information:

ASU Online and Downtown Phoenix Campus

University Center Building, Suite 160
602-496-4321 (Voice)

Polytechnic Campus

480-727-1165 (Voice)

West Campus

University Center Building (UCB), Room 130
602-543-8145 (Voice)

Tempe Campus

480-965-1234 (Voice)

Computer Requirements

This course requires a computer with Internet access and the following:

- Web browsers ([Chrome](#)[Links to an external site.](#), [Internet Explorer](#)[Links to an external site.](#), [Mozilla Firefox](#)[Links to an external site.](#), or [Safari](#)[Links to an external site.](#))
- [Adobe Acrobat Reader](#)[Links to an external site.](#) (free)

Help

For technical support, use the Help icon in the black global navigation menu in your Canvas course or call the ASU Help Desk at +1-(855) 278-5080. Representatives are available to assist you 24 hours a day, 7 days a week.

Technical Support

This course uses Canvas to deliver content. It can be accessed by clicking the course name at MyASU at <http://my.asu.edu>[Links to an external site.](#) or the Canvas home page at <https://asu.instructure.com/>

To monitor the status of campus networks and services, visit the System Health Portal at <http://syshealth.asu.edu/>[Links to an external site.](#)

To contact the help desk call toll-free at 1-855-278-5080.

Student Success

This is an online course. To be successful:

- check the course daily
- read announcements
- read and respond to course email messages as needed
- complete assignments by the due dates specified
- communicate regularly with your instructor and peers
- create a study and/or assignment schedule to stay on track

Tutoring and Academic Success

ASU is committed to ensuring you achieve all your education-related goals by providing a variety of student success resources. I encourage you to check out the [Writing CenterLinks to an external site.](#) which provides both in-person and online tutoring and other forms of [online tutoringLinks to an external site.](#). Even if you are a good writer, an extra pair of eyes (either a tutor, an in-class peer, or a friend) is never a bad thing. Just make sure you approach a potential reviewer *at least one week before the due date* so you have appropriate time to edit. Remember, the *due date* is **not** the *to do date*.

Title IX

Title IX is a federal law that provides that no person be excluded on the basis of sex from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity. Both Title IX and university policy make clear that sexual violence and harassment based on sex is prohibited. An individual who believes they have been subjected to sexual violence or harassed on the basis of sex can seek support, including counseling and academic support, from the university. If you or someone you know has been harassed on the basis of sex or sexually assaulted, you can find information and resources at <https://sexualviolenceprevention.asu.edu/faqs>.

As a mandated reporter, I am obligated to report any information I become aware of regarding alleged acts of sexual discrimination, including sexual violence and dating violence. ASU Counseling Services, <https://eoss.asu.edu/counseling> is available if you wish to discuss any concerns confidentially and privately. ASU online students may access 360 Life Services, <https://goto.asuonline.asu.edu/success/online-resources.html>.

Class Plan: Because of the academic calendar, our first two modules will run concurrently

Module One, March 13-19:

Introduction to the course

Learning outcomes:

- Understand the syllabus, class plan, assignments, and other expectations for this course
- Tell your classmates about yourself and why you are taking this course

Readings: Ruff, *Crime Justice and Public Order* (excerpt)

- Syllabus Quiz and Introductory Posts due by 11:59 PM on **Sunday, August 20**

Reading: Ruff, *Crime Justice and Public Order* (excerpt)

Module Two, March 13-19:

The Primary Legal Systems

Learning Outcomes:

- understand and describe the rise and practices of the accusatorial and inquisitorial legal systems
- evaluate how the expectations of different procedures developed into on-the-ground practices

Readings: Harrington, *The Executioner's Journal*, pages 3-55

- Initial discussion posts are due by **Wednesday**, but since it is the first week as long as you get your initial posts and responses in by the end of **Friday** there will be no late penalties.

Module Three, March 20-26:

The Executioner and his Punishments

Note: Starting this week all initial discussion posts are due on Wednesday, with responses to classmates due on Friday

Learning outcomes:

- understand and describe the relationships between crime, punishment, honor and dishonor
- understand and describe the changes in punishment types and their frequency over the course of the early modern period
- analyze early modern ego documents in their historical context

Readings: Harrington, *The Executioner's Journal*, pages 55-108

Module Four, March 27-April 2:

When institutions break down: Witchcraft

Learning outcomes:

- understand and describe the rise of Europe's early modern witch hunts from the perspective of legal history
- analyze transcripts from witch trials and the thoughts of legal scholars in the context of legal history

Readings: Beccaria, *On Crimes and Punishments*, pages 5-86

Selected documents on Witchhunts (online)

Module Five, April 3-9: The Decline of Torture and the shift to modern Policing

Learning outcomes:

- understand and explain the different sides of the historiographical debate over the abolition of torture
- analyze the writings of several Enlightenment-era thinkers in the context of historiographical debates
- craft a strong, argumentative, analytical paper using primary sources

Readings: Beccaria, *On Crimes and Punishments*, pages 87-159

- **First Written Assignment** due by 11:59pm on April 8

Module Six, April 10-16: The Cultures of Criminals

Learning Outcomes:

- Understand and explain early modern patterns of crime based on time period, gender, and ethnic background
- Place themselves in the context of the early modern European criminal through creative exercises

Readings: MacMillan, *Stories of True Crime* (all)

Module Seven, April 17-23: Social Crime and Social Disciplining

Learning Outcomes:

- understand and describe the mutually legitimizing relationships between political, religious, and legal institutions after the Reformation
- understand and describe the concept of social crimes and anti-social crimes
- apply the concept of social crimes to the modern world
- analyze primary sources in the context of social disciplining

Readings: MacMillan, *Stories of True Crime* (all)

Selections from The Proceedings of the Old Bailey, London's Central Criminal Court

Perusal of the Ordinary of Newgate's Accounts

Module Eight, April 24-28:

The Culture of Crime Writing

Learning Outcomes:

- understand and describe how true crime stories were written to entertain and educate readers
- explore and evaluate collections to find historically significant primary sources
- analyze "true crime" stories and their cultural relationship to recorded convictions and confessions

Readings: MacMillan, *Stories of True Crime* (all)

Perusal of the Ordinary of Newgate's Accounts

Second Written Assignment due by 11:59 PM on Friday, 28 April

Written Assignment Topics:

First Written Assignment: We have spent the past two weeks reading enlightenment discussions about crime and punishments. We have learned about the problematic nature of torture and physical punishments as well as the developing attempts to move away from them, which began in the sixteenth century but picked up steam in the eighteenth century. We have also learned about new standards for evidence and conviction which made torture less important as an investigatory tool.

With that knowledge, we can place Beccaria's text and the responses to it in their historical context. Write a minimum five (5) page paper that analyzes the texts in the context of the history of crime and punishment, i.e. what we have been covering since the start of this course. Some possible questions to consider include: Where do you see new elite understandings of crime, investigations, and proper punishment? Where do you see the same understandings, but simply changing (or not changing!) practices? Do you believe that Enlightenment thinkers like Beccaria and his respondents drove the shift, or were they just jumping on the bandwagon that was already leading to change, and what in the sources leads you to that conclusion? Who makes the better points, Beccaria or his opponents? These questions are guidelines, not demands, and you should feel free to contact me with a thesis statement or an outline as you wish.

Second Written Assignment due 7 October: We have spent the course learning about how and why criminal prosecution intensified throughout the early modern period, including law codes, social attitudes, and other cultural contributions. With the context of that background knowledge, you will write a paper of at least five (5) full pages analyzing the true crime stories you have been reading in the context of the recorded Ordinary's Accounts of convicted criminals.

Choose **one topic or subject** that piqued your interest from the True Crime stories and search Ordinary's on that topic (crime, occupation, gender, age, etc.). **Make sure your selections are from before 1789.** Write an analytical paper that compares them and accounts for their similarities and differences. Given that the true crime genre was so popular, do you think the published accounts influenced how real-life criminals behaved? Do you think that the recorders of the confessions modified them stylistically (historians do think the confessions are largely reliable) for educational or other purposes? Given that "True Crime" accounts were written to teach and/or to entertain, how do the true crime accounts differ from the formal records and why do the authors present the stories as they do? What lessons are they trying to teach their readers, or how are they trying to entertain them, and how are they playing with the facts or presentations of the cases to do so?

In short, you are conducting a comparative analysis of True Crime and formal accounts, so you should pick some commonality (a few options are listed above) to ground your discussion. You do not have to cover all of those questions, and there are many other questions you could answer that are not explicitly listed here. The goal here is to offer you the opportunity to write an interesting paper of **your** choosing instead of my own. Instead of trying to cover everything, therefore, write a **coherent** paper that uses at least five (5) of the true crime stories and at least three (3) of the Ordinary's records. If you have ideas for the paper that you are not sure about because you find the prompt confusing, please e-mail me. I am happy to see where your interest is taking you.