

Dana Y. Rabin



Identity Crime And Legal Resposibility In Eighteenthcentury England

Rebecca Probert, John Snape

Identity Crime And Legal Resposibility In Eighteenthcentury England:

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 Criminal Justice During the Long Eighteenth Century David Lemmings, Allyson N. May, 2018-10-26 This book applies three overlapping bodies of work to generate fresh approaches to the study of criminal justice in England and Ireland between 1660 and 1850 First crime and justice are interpreted as elements of the public sphere of opinion about government Second performativity and speech act theory are considered in the context of the Anglo Irish criminal trial which was transformed over the course of this period from an unmediated exchange between victim and accused to a fully lawyerized performance Thirdly the authors apply recent scholarship on the history of emotions particularly relating to the constitution of emotional communities and changes in emotional regimes Law and Society in England 1750-1950 William Cornish, Stephen Banks, Charles Mitchell, Paul Mitchell, Rebecca Probert, 2019-10-31 Law and Society in England 1750 1950 is an indispensable text for those wishing to study English legal history and to understand the foundations of the modern British state In this new updated edition the authors explore the complex relationship between legal and social change They consider the ways in which those in power themselves imagined and initiated reform and the ways in which they were obliged to respond to demands for change from outside the legal and political classes What emerges is a lively and critical account of the evolution of modern rights and expectations and an engaging study of the formation of contemporary social administrative and legal institutions and ideas and the road that was travelled to create them The book is divided into eight chapters Institutions and Ideas Land Commerce and Industry Labour Relations The Family Poverty and Education Accidents and Crime This extensively referenced analysis of modern social and legal history will be invaluable to students and teachers of English law political science and social history Manifest Madness Arlie Loughnan, 2012-04-19 Bringing together previously disparate discussions on criminal responsibility from law psychology and philosophy this book provides a close study of mental incapacity defences tracing their development through historical cases to the modern era Honour, Violence and Emotions in History Carolyn Strange, Robert Cribb, Christopher E. Forth, 2014-04-10 Honour

Honour, Violence and Emotions in History Carolyn Strange, Robert Cribb, Christopher E. Forth, 2014-04-10 Honour Violence and Emotions in History is the first book to draw on emerging cross disciplinary scholarship on the study of emotions to analyse the history of honour and violence across a broad range of cultures and regions Written by leading cultural and social historians from around the world the book considers how emotions particularly shame anger disgust jealousy despair and fear have been provoked and expressed through culturally embedded and historically specific

understandings of honour The collection explores a range of contexts from 17th century China to 18th century South Africa and 20th century Europe offering a broad and wide ranging analysis of the interrelationships between honour violence and emotions in history This ground breaking book will be of interest to all researchers studying the relationship between violence and the emotions Empire of Guns Priya Satia, 2018-04-10 NAMED ONE OF THE BEST BOOKS OF 2018 BY THE SAN FRANCISCO CHRONICLE AND SMITHSONIAN MAGAZINE By a prize winning young historian an authoritative work that reframes the Industrial Revolution the expansion of British empire and emergence of industrial capitalism by presenting them as inextricable from the gun trade A fascinating and important glimpse into how violence fueled the industrial revolution Priya Satia s book stuns with deep scholarship and sparkling prose Siddhartha Mukherjee Pulitzer Prize winning author of The Emperor of All Maladies We have long understood the Industrial Revolution as a triumphant story of innovation and technology Empire of Guns a rich and ambitious new book by award winning historian Priya Satia upends this conventional wisdom by placing war and Britain's prosperous gun trade at the heart of the Industrial Revolution and the state s imperial expansion Satia brings to life this bustling industrial society with the story of a scandal Samuel Galton of Birmingham one of Britain's most prominent gunmakers has been condemned by his fellow Quakers who argue that his profession violates the society s pacifist principles In his fervent self defense Galton argues that the state s heavy reliance on industry for all of its war needs means that every member of the British industrial economy is implicated in Britain's near constant state of war Empire of Guns uses the story of Galton and the gun trade from Birmingham to the outermost edges of the British empire to illuminate the nation s emergence as a global superpower the roots of the state s role in economic development and the origins of our era's debates about gun control and the military industrial complex that thorny partnership of government the economy and the military Through Satia's eyes we acquire a radically new understanding of this critical historical moment and all that followed from it Sweeping in its scope and entirely original in its approach Empire of Guns is a masterful new work of history a rigorous historical argument with a human story at its heart Debauched, Desperate, Deranged Carolyn A. Conley, 2020-10-31 Contemporary studies have concluded that women are far less likely to kill than men and that when women do kill they do so within the family Debauched Desperate Deranged Women Who Killed London 1674 1913 examines the evolution of this pattern in the over 1400 trials in which women were prosecuted for homicide in London from the late seventeenth century until just before the First World War Which deaths were considered homicides and in what circumstances women were culpable illustrates profound changes in the prevailing assumptions about women The outcomes of trials and the portrayals of these women in the press illuminate changes in perceptions of women s status and their physical and mental limitations Debauched Desperate Deranged breaks new ground in existing studies of gender and homicide using a long time frame to discern which trends are brief anomalies and which represent significant change or continuity Debauched Desperate Deranged is the first empirical quantitatively as well as qualitatively based study

of women and homicide from the seventeenth century to the twentieth It presents new and significant conclusions on changing incidence of maternal homicides and the remarkable constancy of spousal homicides *Mad-Doctors in the Dock* Joel Peter Eigen, 2016-11-06 Detailed courtroom narratives give us a colorful and gripping sense of the life and death maneuvers involved in mounting an insanity defense Andrew Scull author of Madness in Civilization Shortly before she pushed her infant daughter headfirst into a bucket of water and fastened the lid Annie Cherry warmed the pail because as she later explained to a police officer It would have been cruel to put her in cold water Afterwards this mother sat down and poured herself a cup of tea At Cherry s trial at the Old Bailey in 1877 Henry Charlton Bastian physician to the National Hospital for the Paralyzed and Epileptic focused his testimony on her preternatural calm following the drowning Like many other late Victorian medical men Bastian believed that the mother's act and her subsequent behavior indicated homicidal mania a novel species of madness that challenged the law s criterion for assigning criminal culpability How did Dr Bastian and his cohort of London's physicians surgeons and apothecaries originally known as mad doctors arrive at such an innovative diagnosis and how did they defend it in court Mad Doctors in the Dock is a sophisticated exploration of the history of the insanity defense in the English courtroom from the middle of the eighteenth century to the early twentieth century Joel Peter Eigen examines courtroom testimony offered in nearly 1 000insanity trials transporting us into the world of psychiatric diagnosis and criminal justice The first comprehensive account of how medical insight and folk psychology met in the courtroom this book makes clear the tragedy of the crimes the spectacle of the trials and the consequences of the diagnosis for the emerging field of forensic psychiatry Parricide and Violence Against Parents throughout History Marianna Muravyeva, Raisa Maria Toivo, 2017-10-16 This book combines the approaches of history and criminology to study parricide and non fatal violence against parents from across traditional period and geographical boundaries encompassing research on Asia as well as Europe and North America Parricide and non fatal violence against parents are rare but significant forms of family violence. They have been perceived to be a recent phenomenon related to bad parenting and child abuse often in poorer socioeconomic circumstances yet they have a history which provides insights for modern day explanation and intervention Research on violence against parents has concentrated on child abuse and mental illness but by using a rich array of primary and secondary documents such as court cases criminal statistics newspaper reports and legal and medical literature this book shows that violence against parents is also shaped by conflicts related to parental authority the rise of children's rights conflicting economic and emotional expectations and other sociohistorical factors **A Cultural History** of Law in the Age of Enlightenment Rebecca Probert, John Snape, 2021-03-11 The period of the Enlightenment was marked by innovation in political cultural religious and educational ideas with the aim of improving the experience of human beings in society Key to intellectual debates and day to day life were ideas about the law Many looked to Britain and to the British as exemplars of a state governed by moderate laws under a moderate constitution Britain s laws and constitution

were portrayed and satirized in almost every artistic medium A Cultural History of Law in the Age of Enlightenment presents essays spanning the long 18th century 1680 to 1820 which explore the place of law in a range of creative and artistic media all of which flourished in a commercial society with law at its center and enlightenment as its aim Drawing upon a wealth of visual and textual sources A Cultural History of Law in the Age of Enlightenment presents essays that examine key cultural case studies of the period on the themes of justice constitution codes agreements arguments property and possession wrongs and the legal profession Emotions and the Making of Psychiatric Reform in Britain, c. 1770-1820 Mark Neuendorf, 2021-11-19 This book explores the ways which people navigated the emotions provoked by the mad in Britain across the long eighteenth century Building upon recent advances in the historical study of emotions it plots the evolution of attitudes towards insanity and considers how shifting emotional norms influenced the development of a humanitarian temperament which drove the earliest movements for psychiatric reform in England and Scotland Reacting to a culture of sensibility which encouraged tears at the sight of tender suffering early asylum reformers chose instead to express their humanity through unflinching resolve charging into madhouses to contemplate scenes of misery usually hidden from public view and confronting the authorities that enabled neglect to flourish This intervention required careful emotional management which is documented comprehensively here for the first time Drawing upon a wide array of medical and literary sources this book provides invaluable insights into pre modern attitudes towards insanity *The Routledge International* Handbook of Criminal Responsibility Thomas Crofts, Louise Kennefick, Arlie Loughnan, 2024-12-23 Presenting cutting edge research and scholarship this extensive volume covers everything from abstract theorising about the meanings of responsibility and how we blame to analysing criminal law and justice responses and factors that impact individual responsibility Inviting exchanges across a burgeoning critical scholarship on criminal responsibility this Handbook showcases the diverse range of methodologies applied to the field including socio political approaches critical historical methods criminological and sociological perspectives and interdisciplinary studies bridging law and the mind sciences Spanning global networks of established and emerging scholars of responsibility for crime this book explores how we relate to one another as human beings under the spotlight of the criminal law In doing so it is hoped that the collection not only does justice to the vibrant landscape of criminal responsibility studies but inspires new directions and future synergies in this compelling field The Routledge International Handbook of Criminal Responsibility will appeal to scholars and students of criminal law criminal justice criminology sociology psychology neuroscience philosophy and socio legal studies as well as practitioners and policymakers working in related fields **Itineraries and Languages of Madness in the Early Modern World** Mariana Labarca, 2021-07-05 Drawing on a wide range of sources including interdiction procedures records of criminal justice documentation from mental hospitals and medical literature this book provides a comprehensive study of the spaces in which madness was recorded in Tuscany during the eighteenth century It proposes the notion of itineraries of

madness which intended as an heuristic device enables us to examine records of madness across the different spaces where it was disclosed casting light on the connections between how madness was understood and experienced the language employed to describe it and public and private responses devised to cope with it Placing the emotional experience of the Tuscan families at the core of its analysis this book stresses the central role of families in the shaping of new understandings of madness and how lay notions interacted with legal and medical knowledge It argues that perceptions of madness in the eighteenth century were closely connected to new cultural concerns regarding family relationships and family roles which Troubled by Faith Owen Davies, 2023-08-29 resulted in a shift in the meanings of and attitudes to mental disturbances The nineteenth century was a time of extraordinary scientific innovation but with the rise of psychiatry faiths and popular beliefs were often seen as signs of a diseased mind By exploring the beliefs of asylum patients we see the nineteenth century in a new light with science faith and the supernatural deeply entangled in a fast changing world. The birth of psychiatry in the early nineteenth century fundamentally changed how madness was categorised and understood A century on their conceptions of mental illness continue to influence our views today Beliefs and behaviour were divided up into the pathological and the healthy The influence of religion and the supernatural became significant measures of insanity in individuals countries and cultures Psychiatrists not only thought they could transform society in the industrial age but also explain the many strange beliefs expressed in the distant past Troubled by Faith explores these ideas about the supernatural across society through the prism of medical history It is a story of how people continued to make sense of the world in supernatural terms and how belief came to be a medical issue This cannot be done without exploring the lives of those who found themselves in asylums because of their belief in ghosts witches angels devils and fairies or because they though themselves in divine communication or were haunted by modern technology. The beliefs expressed by asylum patients were not just an expression of their individual mental health but also provide a unique reflection of society at the time a world still Armed with Swords & Scales Sascha steeped in the ideas and imagery of folklore and faith in a fast changing world Auerbach, 2021-02-04 Explores how local courtrooms have been a common feature of everyday life and culture since the Death, Emotion and Childhood in Premodern Europe Katie Barclay, Kimberley Reynolds, Ciara eighteenth century Rawnsley, 2017-02-06 This book draws on original material and approaches from the developing fields of the history of emotions and childhood studies and brings together scholars from history literature and cultural studies to reappraise how the early modern world reacted to the deaths of children Child death was the great equaliser of the early modern period affecting people of all ages and conditions It is well recognised that the deaths of children struck at the heart of early modern families yet less known is the variety of ways that not only parents but siblings communities and even nations responded to childhood death The contributors to this volume ask what emotional responses to child death tell us about childhood and the place of children in society Placing children and their voices at the heart of this investigation they track how emotional norms values and practices shifted across the fifteenth to nineteenth centuries through different religious legal and national traditions This collection demonstrates that child death was not just a family matter but integral to how communities and societies defined themselves Chapter 5 of this book is available open access under a CC BY 4 0 license at link springer com

Cultural Histories of Law, Media and Emotion Katie Barclay, Amy Milka, 2022-07-21 Cultural Histories of Law Media and Emotion Public Justice explores how the legal history of long eighteenth century Britain has been transformed by the cultural turn and especially the associated history of emotion Seeking to reflect on the state of the field 13 essays by leading and emerging scholars bring cutting edge research to bear on the intersections between law print culture and emotion in Britain across the eighteenth and nineteenth centuries Divided into three sections this collection explores the public as a site of legal sensibility it demonstrates how the rhetoric of emotion constructed the law in legal practice and in society and culture and it highlights how approaches from cultural and emotions history have recentred the individual the biography and the group to explain long running legal historical problems Across this volume authors evidence how engagements between cultural and legal history have revitalised our understanding of law s role in eighteenth century culture and society not least deepening our understanding of justice as produced with and through the public This volume is the ideal resource for upper level undergraduates postgraduates and scholars interested in the history of emotions as well as the legal history of Britain from the late seventeenth to the nineteenth century *Trials of the self* Elwin Hofman, 2021-04-27 This highly original study brings together the disparate histories of murder and enlightenment prostitution and the cult of nature sodomy and sentimentalism in order to retell the story of the making of the modern self It suggests that the history of the self needs to attend more to its class dimensions and puts this insight into practice by examining the influence of the criminal courts in spreading and negotiating changing ideas of the self Using criminal interrogations and witness statements Trials of the self shows that an increasing stress on psychological depth in the late eighteenth and early nineteenth centuries was not only important for elites but also for common and illiterate people sometimes even more so Infanticide Rachel Dixon, 2023-02-02 Infanticide examines medical expert evidence in infanticide cases focusing specifically on the shifting notion of certainty in medical testimony Beginning in the Early Modern period and concluding in the mid twentieth century it considers how courts determined whether an infant died from natural causes or other reasons including violence The book explores expert evidence in cases of infanticide and examines the extent of certainty created by medical specialists who founded their testimony on anatomical exploration and science As the book progresses it becomes clear that medical specialists were unable to scientifically establish cause of death and in doing so conveyed uncertainty in court proceedings Rather than being regarded as a professional failing Dixon argues that the uncertainty created by medical specialists redirected the outcomes of infanticide cases The combination of uncertainty and the changing perceptions of infanticidal women by the court lead juries to find infanticidal women not quilty of a capital offence in many cases This book will be of

great interest to students and scholars of Criminology Law and History In Search of Criminal Responsibility Nicola Lacey, 2016 What makes someone responsible for a crime and therefore liable tof punishment under the criminal law Modern lawyers will quickly and easily point to the criminal law s requirement of concurrent actus reus and mens rea doctrines of the criminal law which ensure that someone will only be found criminally responsible if they have committed criminal conduct while possessing capacities of understanding awareness and self control at the time of offense Any notion of criminal responsibility based on the character of the offender meaning an implication of criminality based on reputation or the assumed disposition of the person would seem to today s criminal lawyer a relic of the 18th Century In this volume Nicola Lacey demonstrates that the practice of character based patterns of attribution was not laid to rest in 18th Century criminal law but is alive and well in contemporary English criminal responsibility attribution Building upon the analysis of criminal responsibility in her previous book Women Crime and Character Lacey investigates the changing nature of criminal responsibility in English law from the mid 18th Century to the early 21st Century Through a combined philosophical historical and socio legal approach this volume evidences how the theory behind criminal responsibility has shifted over time The character and outcome responsibility which dominated criminal law in the 18th Century diminished in ideological importance in the following two centuries when the idea of responsibility as founded in capacity was gradually established as the core of criminal law Lacey traces the historical trajectory of responsibility into the 21st Century arguing that ideas of character responsibility and the discourse of responsibility as founded in risk are enjoying a renaissance in the modern criminal law These ideas of criminal responsibility are explored through an examination of the institutions through which they are produced interpreted and executed the interests which have shaped both doctrines and institutions and the substantive social functions which criminal law and punishment have been expected to perform at different points in history

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