Early Modern Period
1500 - 1750
Big changes!
Population growth
Growing towns/cities
Increased travel
Break with Rome
Printing press
English Civil War
Puritans in power
Crimes which caused concern in the EMP:

- Vagrancy
- Moral crimes
- Witchcraft
- Heresy
- Smuggling
- Highway robbery
What is a vagabond?
Vagabond: Someone who wandered from place to place with no job
A rogue

Clapper Dudgeons

What were these?

Counterfeit crank

The upright man

The Abraham man

The upright man

The doxy

Bawdy Baskets
People disliked vagabonds because:

- Travelled in groups and often committed crime/blamed for crime
- People did not like having to pay for them to be looked after - feared the cost
- Puritans believed ‘idle hands make the Devil’s work’ = laziness is sinful
How were vagabonds treated?

1531 - whipped
1547 - 1st offence slavery 2nd execution
1550 - 1547 too severe, 1531 revived
1572 - 1st whipping and ear cut off, Second offence - execution
1593 - 1572 Act repealed too, 1531 - revived
1598 - Vagrants whipped and sent home, if continued HOC, execution or banishment.
Who were the Puritans?

What period did they have influence over laws?

What practices did they make crimes?
Very religious people - wanted everyone to live strictly according to the bible. They wanted to improve behaviour to prevent people going to hell.

By the 1640s-1650s - they controlled Parliament

During this time they changed laws so people would live a strict Puritan lifestyle.... They decided to ban:
Christmas
Adultery
Sports and games on Sunday
Football
Drunkenness
Swearing
Betting and music in taverns
1645: The year of the

W_______F_________G_______
Who was the Witchfinder General?

What kinds of people were accused of being witches?

How would you spot a witch?

How do you put a witch on trial?
Matthew Hopkins

Usually older women

Devil’s marks, familiar, witch prick

Swimming test
Why did people believe in witches?
Economics
Rising prices on food and other economic changes such as enclosure made people want to blame someone for the hard times. Furthermore, if a person was convicted of witchcraft their property would be confiscated. Thus, people accused others through greed.

Civil War
The civil war set neighbour against neighbour. People had old grievances and didn’t trust each other. If they disliked someone, they could easily get rid of them by accusing them of witchcraft.

Religion
Everyone believed in the Devil and Hell. If things went wrong people would accuse witches of doing the Devil’s work. Anyone involved in any rituals would be accused of witchcraft.

Superstition
Linked to religion but slightly different. People believed in magic, were very superstitious, and were afraid of anything that was strange to them. They believed completely in the idea of witchcraft.

Lack of Scientific Understanding
It had not yet been discovered how different weather could occur, or how climate could affect crops. People had little understanding of illnesses. Because these things could not yet be explained, witches were blamed for any misfortune that occurred.
Heresy and Heretics

What is a heretic?

What was the punishment for being a heretic? Why?

Which monarch is most famous for punishing heretics?
Heresy and Heretics

Beliefs which are against the church (going against the religion of the monarch)

Burning alive = to symbolise the flames and to ensure your soul is destroyed

Mary I (Bloody Mary) - Catholic monarch burned nearly 300 protestants
Who are these men?

Claude Duval
Dick Turpin
James Hind
<table>
<thead>
<tr>
<th>Image</th>
<th>Reality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Romantic Gentleman of the</td>
<td>Violent</td>
</tr>
<tr>
<td>road</td>
<td>Cruel</td>
</tr>
<tr>
<td>Well dressed</td>
<td>Greedy</td>
</tr>
<tr>
<td>Polite</td>
<td>Murderers</td>
</tr>
<tr>
<td>Suave</td>
<td>Feared</td>
</tr>
<tr>
<td>Rarely used force</td>
<td>e.g. cut out tongue</td>
</tr>
</tbody>
</table>
Why did highway robbery grow and then decline?
<table>
<thead>
<tr>
<th>Increase</th>
<th>Decreased</th>
</tr>
</thead>
<tbody>
<tr>
<td>Travel by carriage</td>
<td>Banks</td>
</tr>
<tr>
<td>No banks</td>
<td>Rewards for handing highwaymen in</td>
</tr>
<tr>
<td>Open/remote roads</td>
<td>Mounted patrols</td>
</tr>
<tr>
<td>Flintlock pistol</td>
<td>Busier roads</td>
</tr>
</tbody>
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Enforcing the law

Policing methods remained very similar. E.g. hue and cry and JPs However, sheriff becomes less important. More watchmen employed in towns.
How effective was law enforcement?

There was no official police force.

1. Many people didn’t want a police force as they thought this would end their freedom to criticise the government.
2. Others thought it would cost them too much.
3. Other people thought that a police force wasn’t needed and that making punishments harsher would work.
Enforcing the law - courts

Assizes → Serious offences heard
   Country divided into 6 circuits

Quarter sessions → 4 times a year - JPs - less serious

Petty sessions → JPs had too much to do so petty sessions set up. Replaced Manor courts - local/minor crimes

Manor courts → Local/minor - lost influence in 17thC

Church courts → Active in 1500/1600s - moral crimes
How were women treated?

They were treated more harshly. Men expected women to be respectable and subservient/obedient. When a husband and wife were accused of drunkenness only the woman was punished in the stocks. Women were more likely to be punished for adultery. Women who argued in public were punished by the ducking stool. Women convicted of murdering their husbands were burnt to death.
How were women treated?

Women were not allowed to be:

- JPs, constables, court clerks or part of the jury

But women were allowed to:

- give evidence in a court as a witness or bring cases to court as the victim of crime
Punishment

Most common punishment = fines

Other punishments aimed to shame and humiliation or to cause physical pain as a deterrent.
Punishment

New to Early Modern Period or old?

Pillory

Prison

Stocks

Whipping

Carting

Transportation

Bridewell

Fines

Ducking Stool
Punishment

New to Early Modern Period or old?

Pillory  Prison  Stocks
Whipping  Carting  Transportation
Bridewell  Fines  Ducking Stool
Bridewells
Punish and reform offenders
Places for vagrants, unmarried mothers, runaways apprentices
Whipped and put to hard work
Authorities believed crime was a result of not working hard enough.
What is a capital crime?
Capital crime = Crime punishable by death
What is The Bloody Code?
The Bloody Code: Harsh laws introduced between 1500-1750. Carry the death sentence.
How many crimes were punishable by death under the Bloody Code?

Over 200
Why was the Bloody Code introduced?
Why was the Bloody Code introduced?

- Law makers worried about crime
- Changes in Society
- Land owners feared for property
- Belief that harsh punishments would work
Law makers worried about crime

Invention of printing = Newspapers made people believe Britain was full of crime. People were able to read violent crimes and painful executions. As a result many lawmakers genuinely believed that crime was on the increase.

In response to this, they introduced MORE capital offences.

During the late 1600s and early 1700 there were a number of ‘new’ crimes and criminals. These new crimes shocked lawmakers into making punishments even harsher!

E.g. vagabonds and highwaymen
Changes in Society

From the sixteenth century onwards the social structure of the country was changing. The power of the church was declining. There was a lot more protest that in the earlier centuries.

Towns were growing, trade was increasing and travel was becoming more popular.

These factors made it more difficult to enforce law. In the crowded and anonymous streets of cities, it was easier for criminals to commit crime and it was harder to detect crime than in any other part of the country.
Land owners feared for property

The politicians who introduced the laws which made up the Bloody Code were wealthy landowners or businessmen. 

Protect their own interests.

For example, stealing sheep and destroying tools used to manufacture wool were punishable by death. It is no coincidence that these crimes are extremely damaging to a rich landowner who makes his money in the wool trade!

Law makers stated that by creating these laws, they were protecting their jobs and by protecting their jobs, they were benefitting the whole country.
Belief that harsh punishments would work

Lawmakers hoped that tough, public executions for even the most basic of crimes would prevent people from committing them.

For centuries it was believed that the best way to stop a crime that was continually being committed was to make the punishment harsher and harsher.

By killing some of the countries criminals, they were getting rid of them once and for all! Their death prevented them from ever committing crimes again.
Bloody Code - new laws

Waltham Black Act 1723
The Waltham Black Act 1723

It added over 50 crimes to the list of capital offences.

e.g. that anyone found armed, disguised or with a blackened face in any hunting area was assumed to be poaching, and could be executed.
Smuggling

During the 17\textsuperscript{th} century governments increased taxes on imported goods to raise extra money. These were unpopular as they raised the prices of popular goods.

Smugglers would bring these goods in to the country avoiding the proper ports so that they didn’t have to pay the import tax and could sell the goods cheaper but still make a profit.
Many smugglers were labourers. You could earn 6 or 7 times a normal daily wage in a night of smuggling.

Even helping move the goods could earn you twice as much. Smugglers would bring in popular goods such as:

Brandy/tea/wine/silk
Why was it difficult to stamp out smuggling?

• Many people didn’t see it as a crime, they wouldn’t report it.
• There were thousands of miles of unguarded coastline.
• Smugglers worked in large gangs, coastal officers worked alone with a single pistol.
• Smugglers would threaten judges and customs officers if they attempted to seize their goods.
• The rich would also buy smuggled goods. Including Robert Walpole who later became PM.
Under the Bloody Code, you would expect the number of executions increase. Strange as it may be, during this period, the number of executions actually decreased. In the 1700s, there were about 200 executions each year in England and Wales, although sometimes there would be a flurry of executions if the government felt that there was too much crime. The obvious answer for the fall of executions was the falling number of recorded crimes.
Why did the Bloody Code end?
Why did the Bloody Code end?

• Public executions were not working - people did not fear them - it was entertainment
• Juries would not convict if someone was going to be hanged
• Ideas about punishment were changing - The punishment should match the crime and not be brutal.
• Transportation was used as an alternative.