



Arts & Social  
Sciences

School of Humanities and Languages

## **CRIM3021, History from Crime: Investigating Europe's Past Semester 1, 2014**

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## 1. Course Staff and Contact Details

Course Convenor & Lecturer			
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Consultation Time	Mondays 2-3 pm; Tuesdays 12-1 pm		

## 2. Course Details

Units of Credit	6 UoC	
Course Description	<p>CRIM3021 (History from Crime) is one of two courses offered by the School of Humanities &amp; Languages as electives in the Criminology &amp; Criminal Justice program: its companion is CRIM2041 (Crime &amp; Punishment in Historical Perspective), which runs in Semester 2. Both courses are also available to students who are working towards a major (or minor) stream in History.</p> <p>Despite initial appearances CRIM3021 is not primarily about the history <b>OF</b> crime. Rather this course explores some of the ways in which scholars have used the documentation generated by past criminal justice systems. As a result the overall point of this course isn't so much historical (i.e. what happened in the past); it's more historiographical (i.e. how we <b>investigate</b> the past).</p> <p>Criminal justice records have been taken in their broadest sense, to include not merely the documentation of criminal prosecutions — as documented, for instance, by police officers, judges, and court officials — but also the surviving records of inquisitions and civil litigation, as well as other media by which crimes and criminals were recorded and reported (e.g. pamphlets, memoirs, newspapers). Examples of historical work have been chosen to illustrate not only a range of approaches, but also some geographical diversity (e.g. Germany, Sweden, France, Italy, Britain, Spain).</p> <p>Students in CRIM3021 will confront some of the analytical and interpretive problems posed by this array of material. The main written assignments -- a literature review and an interpretive essay -- aim to provide students with a chance to create some original historical writing of their own.</p> <p>Of course many students who enrol in CRIM3021 have not previously studied European history. For that reason, this course makes <b>NO assumptions about prior knowledge</b>, and offers a basic introduction to the study of European history, roughly between the fourteenth century (1300s) and the early twentieth century (1900s).</p>	
Course Aims	1.	To present students with a range of historical case-studies illustrating various criminal justice systems in the European past, from the late Middle Ages to the early twentieth century: criminal and civil litigation, as well as both accusatorial and inquisitorial procedures..

	2.	To introduce students to several different forms of criminal justice records, broadly defined, and their relative merits or weaknesses as historical evidence.
	3.	To provide students with a chance to summarise, compare and assess a selection of historical studies that used criminal justice records as sources of evidence.
	4.	To allow student to develop critical skills in analysing and evaluating a “primary” source of historical evidence derived from criminal justice records.
	5.	To encourage students to reflect on how their knowledge of modern criminal justice institutions and procedures interacts with their understanding of long-term historical changes and continuities.
Student Learning Outcomes	1.	Identify and compare different forms of criminal justice records arising from a range of historical case-studies in the European past, from the late Middle Ages to the early twentieth century, and weigh up their relative merits or weaknesses as historical evidence.
	2.	Summarise, compare and assess a selection of historical studies that used criminal justice records as sources of evidence.
	3.	Develop and practise critical skills in analysing and evaluating a “primary” source of historical evidence derived from criminal justice records.
	4.	Contribute own evidence-based views to debates about European history.
	5.	Reflect on how knowledge of modern criminal justice institutions and procedures interacts with understandings of long-term historical changes and continuities.
Graduate Attributes	1.	Understanding of key concepts and theoretical approaches to crime and criminal justice (Criminology & Criminal Justice).
	2.	Critical awareness of how crime, deviance and victimisation are socially and legally constructed (Criminology & Criminal Justice).
	3.	Understanding of the dimensions of social divisions and social diversity in relation to offending, crime control, policing, criminal justice and penal systems (Criminology & Criminal Justice)
	4.	Ability to analyse historical evidence, scholarship and changing representations of the past (History).
	5.	Ability to construct an evidence-based argument or narrative in audio, digital, oral, visual or written form (History); Skills in oral and written communication (Criminology & Criminal Justice)

### 3. Learning and Teaching Rationale

The themes and issues explored in CRIM3021 arose from my own research. My work investigates the history of forest management and the competition for timber in Europe, especially in France during the eighteenth century (1700s). A good deal of evidence about that competition comes from court records that documented people's disputes and litigation. Like the scholars whose writings are studied in this course I find that criminal justice records represent rich but problematic sources of historical evidence.

In teaching CRIM3021 I aim to provide students with the opportunity to confront and debate the questions posed by these forms of historical documentation.

Learning and teaching are necessarily a two-way process, of course, so students in CRIM3021 are expected to take some responsibility for creating their own historical knowledge. Historical understanding also requires an awareness of the evidence that we use to find out about the past, and some familiarity with how it might be interpreted and explained. CRIM3021 offers students some practical exercises as an introduction to the "disciplinary culture" of historians.

### 4. Teaching Strategies

This course is organised in three main sections:

- (a.) Historical background and methodological approaches (Weeks 1 & 2);
- (b.) Thematic examples of social & cultural histories that have drawn on evidence from criminal justice records (Weeks 3–10);
- (c.) Review of major themes (Weeks 11 & 12).

Lectures are designed to introduce students to specific topics that illustrate the issues raised by this course. The purpose of lectures is to set out the theme(s), define technical or specialist terms, clarify the historiographical debates, and offer illustrative examples from the historical literature. "Primary" sources from the periods being studied — various published or manuscript documents, art works and other images — offer insights into the kinds of evidence employed by historians. Several of these are translations of archival sources uncovered in the course of my own research.

The tutorial program offers students the chance to demonstrate their historical understanding by asking questions, constructing explanations, relating topics to one another, and debating interpretations. The weekly tutorial readings have all been carefully selected in order to foster discussion, and each set of extracts comes with a range of focus questions so that students can prepare thoroughly for active participation in tutorials.

Essay writing is a significant component of all courses in the Faculty of Arts & Social Sciences. The skills involved in researching and writing essays are therefore worth developing and practising. Written work forms the major component of this course's assessment, but these essays are also important learning activities where students can acquire and practise skills that will be applicable in other courses and elsewhere.

The End-of-Semester in-class test allows students to reflect on the overall themes of the course, and to apply their knowledge of those themes to a critical assessment of how historians can or should use criminal justice records as evidence.

5. Course Assessment					
Assessment Task	Length	Weight	Learning Outcomes Assessed	Graduate Attributes Assessed	Due Date
Literature Review	2000–2500 words	30%	1, 2, 4, 5	1, 2, 3, 4, 5	Thursday 17 April (Wk 7)
Interpretive Essay	2000–2500 words	35%	1, 2, 3, 4, 5	1, 2, 3, 4, 5	Thursday 22 May (Wk 11)
Informal tutorial writing	in-class for 10 weeks	2% x 10 =20%	1, 2, 4, 5	1, 2, 3, 4, 5	Weeks 3–12 (inclusive)
End-of-Semester Test	50 minutes (in-class)	15%	2, 4, 5	1, 2, 3, 4, 5	Thursday 5 June (Wk 13)

**Please Note:** In addition to fulfilling the above assessment requirements, students are expected to attend at least 80% of lectures and tutorials in order to pass this course.

### Formal Examination

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This course has *NO* formal examination in the formal examination period, 13 – 30 June 2014.

### Grades

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All results are reviewed at the end of each semester and may be adjusted to ensure equitable marking across the School.

The proportion of marks lying in each grading range is determined not by any formula or quota system, but by the way that students respond to assessment tasks and how well they meet the objectives of the course. Nevertheless, since higher grades imply performance that is well above average, the number of distinctions and high distinctions awarded in a typical course is relatively small. At the other extreme, on average 6.1% of students do not meet minimum standards and a little more (8.6%) in first year courses. For more information on the grading categories see

<https://my.unsw.edu.au/student/academiclife/assessment/GuideToUNSWGrades.html>

### Submission of Assessment Tasks

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Assignments which are submitted to the School Assignment Box must have a properly completed School Assessment Coversheet, with the declaration signed and dated by hand. The Coversheet can be downloaded from

<https://hal.arts.unsw.edu.au/students/courses/course-outlines/>. It is your responsibility to make a backup copy of the assignment prior to submission and retain it.

Assignments must be submitted before 4:00pm on the due date. Assignments received after this time will be marked as having been received late.

### Late Submission of Assignments

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Late assignments will attract a penalty. Of the total mark, 3% will be deducted each day for the first week, with Saturday and Sunday counting as two days, and 10% each week thereafter.

The penalty may not apply where students are able to provide documentary evidence of illness or serious misadventure. Time pressure resulting from undertaking assignments for other courses does not constitute an acceptable excuse for lateness.

## 6. Attendance/Class Clash

### Attendance

Students are expected to be regular and punctual in attendance at all classes in the courses in which they are enrolled. Explanations of absences from classes or requests for permission to be absent from classes should be discussed with the teacher and where applicable accompanied by a medical certificate. If students attend less than 80% of their possible classes they may be refused final assessment.

**Students who falsify their attendance or falsify attendance on behalf of another student will be dealt with under the student misconduct policy.**

### Class Clash

A student who is approved a permissible clash must fulfil the following requirements:

- a. The student must provide the Course Convenor with copies of lecture notes from those lectures missed on a regular basis as agreed by the Course Convenor and the student.
- b. If a student does attend a lecture for which they had secured a permitted clash they will still submit lecture notes as evidence of attendance.
- c. **Failure to meet these requirements is regarded as unsatisfactory performance in the course and a failure to meet the Faculty's course attendance requirement. Accordingly, Course Convenors will fail students who do not meet this performance/attendance requirement.**
- d. Students must attend the clashed lecture on a specific date if that lecture contains an assessment task for the course such as a quiz or test. Inability to meet this requirement would be grounds for a Course Convenor refusing the application. If the student misses the said lecture there is no obligation on the Course Convenor to schedule a make-up quiz or test and the student can receive zero for the assessment task. It should be noted that in many courses a failure to complete an assessment task can be grounds for course failure.

## 7. Academic Honesty and Plagiarism

Plagiarism is presenting someone else's thoughts or work as your own. It can take many forms, from not having appropriate academic referencing to deliberate cheating.

In many cases plagiarism is the result of inexperience about academic conventions. The University has resources and information to assist you to avoid plagiarism.

The Learning Centre assists students with understanding academic integrity and how to not plagiarise. Information is available on their website: <http://www.lc.unsw.edu.au/plagiarism/>. They also hold workshops and can help students one-on-one.

If plagiarism is found in your work when you are in first year, your lecturer will offer you assistance to improve your academic skills. They may ask you to look at some online resources, attend the Learning Centre, or sometimes resubmit your work with the problem fixed. However, more serious instances in first year, such as stealing another student's work

or paying someone to do your work, may be investigated under the Student Misconduct Procedures.

Repeated plagiarism (even in first year), plagiarism after first year, or serious instances, may also be investigated under the Student Misconduct Procedures. The penalties under the procedures can include a reduction in marks, failing a course or for the most serious matters (like plagiarism in an Honours thesis) or even suspension from the university. The Student Misconduct Procedures are available here:

<http://www.gs.unsw.edu.au/policy/documents/studentmisconductprocedures.pdf>

<b>8. Course Schedule</b>				
<i>To view course timetable, please visit: <a href="http://www.timetable.unsw.edu.au/">http://www.timetable.unsw.edu.au/</a></i>				
<b>Week Commencing:</b>	<b>Topic</b>	<b>Lecture Content</b>	<b>Tutorial/Lab Content</b>	<b>Readings</b>
3 March (Wk 1)	Introduction	Historical survey 1: Using CJ records	<b>No classes</b>	
10 March (Wk 2)	Development of criminal justice	Historical survey 2: Using CJ records	Narrative approaches	Wedgwood (1964)
17 March (Wk 3)	Law-breaking as resistance	Labour history, poaching & arson	Quantitative approaches	Zysberg (1978)
24 March (Wk 4)	Law-enforcement as social control	Marriage & family	"Social" protest	Thompson (1993)
31 March (Wk 5)	Law as negotiation	Honour & litigation	Domestic violence	Hardwick (2006)
7 April (Wk 6)	Religious persecutions	Heretics & heresies	Insults & defamation	Garrioch (1987)
14 April (Wk 7)	Gendered offences	Women & the law	Inquisitions	Hanson (1981)
<i>Mon 21 April</i>	<i>Mid-Semester Break</i>			
28 April (Wk 8)	Marginality & oppression	Poverty & "deviance"	Infanticide	Symonds (1998)
5 May (Wk 9)	Mentalities	Popular culture:	Same-sex relationships	Huussen (1987)
12 May (Wk 10)	Small-scale studies	Microhistory	Magic & witchcraft	Briggs (1995)
19 May (Wk 11)	Reporting crimes	Crime in/& the media	Histories of "unknown" people	Corbin (2000)
26 May (Wk 12)	Review	Test preview	Crime reporting & politics	Johnson (1995)
2 June (Wk 13)		<b>No classes</b>	<b>End-of-Semester Test</b>	Muir & Ruggiero (1994)

<b>9. Course Resources</b>
<b>Textbook Details:</b>
There is <i>NO TEXTBOOK</i> for this course.
<b>Additional Readings</b>
Background reading -- a general survey of European history since about 1450:

J. MERRIMAN, <i>A History of Modern Europe</i> (New York/London: Norton, 3rd edn, 2009; 2nd edn, 2004; 1st edn, 1996), 2 vols. <b>UNSW, S 940.2/123</b>
On histories of crime and justice in Europe:
T. DEAN (ed.), <i>Crime in Medieval Europe, 1200–1550</i> (New York: Longman, 2001). <b>UNSW, S 364.940902/1</b>
G. PARKER, B. LENMAN & V. GATRELL (eds), <i>Crime and the Law : The Social History of Crime in Western Europe since 1500</i> (London: Europa, 1980). <b>UNSW, S 364.94/2</b>
E. A. JOHNSON & E. H. MONKKONEN (eds), <i>The Civilization of Crime: Violence in Town and Country since the Middle Ages</i> (Urbana, IL: University of Illinois Press, 1996). <b>UNSW Law, L/ KL455/C8/1</b>
M. R. WEISSER, <i>Crime and Punishment in Early Modern Europe</i> (Atlantic Highlands, NJ: Humanities Press, 1979). <b>UNSW, S 364.94/1</b>
J. R. RUFF, <i>Violence in Early Modern Europe, 1500–1800</i> (Cambridge, UK/ New York: Cambridge University Press, 2000). <b>UNSW, S 303.6094/3</b>
R. MUCHEMBLED, <i>A History of Violence from the End of the Middle Ages to the Present</i> , trans. J. Birrell (Cambridge, UK: Polity Press, 2012). <b>UNSW, 303.6094/6</b>
L. A. JACKSON & S. D'CRUZE, <i>Women, Crime and Justice in England since 1660</i> (Basingstoke, UK: Palgrave Macmillan, 2009). <b>UNSW, 364.374/18</b>
<b>Websites</b>
UNSW Library: <a href="http://info.library.unsw.edu.au/web/services/services.html">http://info.library.unsw.edu.au/web/services/services.html</a>

## 10. Course Evaluation and Development

Courses are periodically reviewed and students' feedback is used to improve them. Feedback is gathered using various means including UNSW's Course and Teaching Evaluation and Improvement (CATEI) process.

When a previous version of this course was offered (in 2012), the feedback was overwhelmingly positive. There were some areas that attracted students' special attention. Each comment indicates the action taken in response to their suggestions.

**“Have one 2-hour lecture instead of two shorter ones.”** This change has been adopted in 2014.

**“The self-assessed participation sheet ensured that I revised previous lecture notes; got a basic understanding of the reading; and for the full marks, thought about the reading by relating it to a wider scope and challenging assumptions by having questions to write down. The notes I made for these also helped immensely for the End-of-Semester Test.”** After a few revisions this innovation will continue in 2014.

## 11. Student Support

The Learning Centre is available for individual consultation and workshops on academic skills. Find out more by visiting the Centre's website at:

<http://www.lc.unsw.edu.au>

## 12. Grievances



All students should be treated fairly in the course of their studies at UNSW. Students who feel they have not been dealt with fairly should, in the first instance, attempt to resolve any issues with their tutor or the course convenors.

If such an approach fails to resolve the matter, the School of Humanities and Languages has an academic member of staff who acts as a Grievance Officer for the School. This staff member is identified on the notice board in the School of Humanities and Languages. Further information about UNSW grievance procedures is available at:

<https://my.unsw.edu.au/student/atoz/Complaints.html>

## 13. Other Information

### myUNSW

myUNSW is the online access point for UNSW services and information, integrating online services for applicants, commencing and current students and UNSW staff. To visit myUNSW please visit either of the below links:

<https://my.unsw.edu.au>

<https://my.unsw.edu.au/student/atoz/ABC.html>

### OHS

UNSW's Occupational Health and Safety Policy requires each person to work safely and responsibly, in order to avoid personal injury and to protect the safety of others. For all matters relating to Occupational Health, Safety and environment, see

<http://www.ohs.unsw.edu.au/>

### Special Consideration

In cases where illness or other circumstances produce repeated or sustained absence, students should apply for Special Consideration as soon as possible.

The application must be made via Online Services in myUNSW. Log into myUNSW and go to My Student Profile tab > My Student Services channel > Online Services > Special Consideration.

Applications on the grounds of illness must be filled in by a medical practitioner. Further information is available at:

<https://my.unsw.edu.au/student/atoz/SpecialConsideration.html>

### Student Equity and Disabilities Unit

Students who have a disability that requires some adjustment in their learning and teaching environment are encouraged to discuss their study needs with the course convener prior to or at the commencement of the course, or with the Student Equity Officers (Disability) in the Student Equity and Disabilities Unit (9385 4734). Information for students with disabilities is available at: <http://www.studentequity.unsw.edu.au>

Issues that can be discussed may include access to materials, signers or note-takers, the provision of services and additional examination and assessment arrangements. Early notification is essential to enable any necessary adjustments to be made.