

History 4945/6945: The Birth of the Prison in Eighteenth Century Europe and America  
Thursdays, 2:30-4:25 181 Goldwin Smith Hall

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Office Hours Thursdays 12:45-2:00 or by appointment (434 McGraw Hall)

In medieval and renaissance Europe, criminals were fined, branded, or executed; after the 18th century, more of them went to jail. For some observers, the birth of the prison was a triumph of humanitarian compassion. For others, they marked an ominous new form of social control. This course looks at why and how prisons emerged during the 18th and early 19th centuries in Europe and America. What were prisons like before they were "reformed," why did so many people by the end of the 18th century want to reform them? How did newfangled "Enlightenment" ideas about punishment and poverty affect penal reformers? How did the new prisons compare to other institutions of confinement, and how did prisoners exercise agency? In the final section of the course we will consider Michel Foucault's classic, Discipline and Punish, evaluating it in light of empirical research of other historians but also taking seriously Foucault's claims for the centrality of the prison to understanding modern society.



## Requirements

- 5 short (2-3 pp.) papers (35 %). Short papers are due by email at 10:00AM on the day the class meets (Thursdays) in the weeks that you choose to write them. They are based on the readings assigned for that week. If you wish to drop the one or two lowest grades you may write one or two extra papers. Three of the papers must be turned in by October 9. Questions for short papers are posted a week before they are due. You can write on a question of your own choosing, but please check with me first. Keep in mind that these papers should not be vague reactions, but should use the readings to answer a clear question.
- 10-15 page research paper, based on a reading of at least one primary source (25%). Graduate students have the option of writing a bibliographic essay. Rough draft is due November 11. Final draft is due December 16.
- Participation in all stages of the research paper process, including turning in rough draft on time, reading/commenting on rough drafts by others, and presentation of your project to the class. (15%)
- Informed participation in class discussion and attendance (25%).

### **Books available for purchase in Campus Store**

- Cesare Beccaria, On Crimes and Punishments
- R. Bell and M.L. Tartar, Buried Lives: Incarcerated in Early America
- Michel Foucault, Discipline and Punish

Most other readings are posted on Blackboard. Multiple copies of one book, Margaret DeLacy's Prison Reform in Lancashire, is available on reserve as well.

### **Statement Regarding Academic Integrity:**

Each student in this course is expected to abide by the Cornell University Code of Academic Integrity. Any work submitted by a student in this course for academic credit must be the student's own work. Plagiarism will result (depending on severity) in a failing grade for the paper or the course. The complete Cornell Code of Academic Integrity can be found at: <http://cuinfo.cornell.edu/Academic/AIC.html>

You are highly encouraged to look at Cornell's web-page on plagiarism (<http://plagiarism.arts.cornell.edu/tutorial/logistics.cfm>) and to take their very enlightening quiz (<http://plagiarism.arts.cornell.edu/tutorial/exercises.cfm>).

### **Schedule of Readings, Assignments and Discussions**

Note: Please have all readings done before you come to class and whenever possible bring copies of the readings with you (electronic versions are OK).

#### **August 28 Intro to the class**

#### **September 4 The Unreformed Prison**

- Joanna Innes, "The King's Bench Prison in the Later 18th century"
- Margaret DeLacy, "The Eighteenth-Century Gaol" in Prison Reform in Lancashire, 1700-1850: A Study in Local Administration
- John Howard, The State of the Prisons, in 3 separate pdfs: I) Front matter, and chapters 1-2 II) Newgate and The Fleet prisons III) selection on gaols on the Norfolk circuit.

#### **September 11 Incarcerating the Poor: Almshouses and Bridewells**

- Joanna Innes, "Prisons for the Poor: English Bridewells, 1555-1800" in Francis Snyder and Douglas Hay, eds. Labor, Law and Crime: An Historical Perspective (London: Tavistock, 1987), pp. 42-122
- Simon Newman and Billy G. Smith, "Incarcerated Innocents" in Buried Lives
- Jaqueline Cahiff, "Those Insolent Hardened Husseys" in Buried Lives
- Martin Ingram, "Shame and Pain: Themes and Variations in Tudor Punishments"
- Excerpt, minutes of the meeting of village overseers, from Gowing and Crawford
- Howard, State of the Prisons, Section on Holland (Foreign prisons, section iv)

### **September 18 Information, preaching, rumor and writing in and from the prison**

- Molly Murray, "Measured Sentences: Forming Literature in the Early Modern Prison" [b]
- Peter Lake and Michael Questier, "Prisons, Priests and People" in Nicholas Tyacke, ed. *England's Long Reformation* (London: UCL Press, 1998) [B]
- Jason T. Sharples, "Hearing Whispers, Casting Shadows: Jailhouse conversation and the Production of Knowledge during the Antigua Slave Conspiracy Investigation of 1736" in Buried Lives
- Susan Eva O'Donovan, "Universities of Social and Political Change: Slaves in Jail in Antebellum America" in Buried Lives
- Select Primary Sources, including History of the Press Yard (excerpts) , printed petitions from prisoners in 17th and 18th centuries.

### **September 25 Transportation, Punishment and Empire**

- Cynthia Herrup, "Punishing Pardon: Some thoughts on the Origins of Penal Transportation" in Simon Devereaux and Paul Griffiths, eds. Penal Practice and Culture, 1500-1900: Punishing the English
- Hamish Maxwell-Stewart, "Convict Transportation from Britain and Ireland, 1615-1870"
- Simon Devereaux, "Imposing the Royal Pardon: Execution, Transportation, and Convict Resistance in London, 1789," Law and History Review, Vol. 25, No. 1
- Emma Christopher, "'The Slave Trade is merciful compared to this': Slave Traders, Convict Transportation, and Abolitionists" in Emma Christopher, Cassandra Pybus and Marcus Rediker, Many Middle Passages: Forced Migration and the Making of the Modern World.
- Alice Bullard, Exile to Paradise: Savagery and Civilization in Paris and the South Pacific (Stanford, 2000), Chaps 3 and 5
- Katherine Foxhall, "From Convicts to Colonists: The Health of Prisoners and the Voyage to Australia, 1823-53," Journal of Imperial and Commonwealth History, Vol. 39/No. 1 (March 2011).

### **October 2 Reform I: Beccaria and "Enlightenment thinking" [plus library training with Virginia Cole]**

- Cesare Beccaria, On Crimes and Punishments (excerpts TBA)

### **October 9 Reform II: Experiments**

- Simon Devereaux, "The Making of the Penitentiary Act, 1775-1779," *Historical Journal* Vol. 42, No. 2 (1999)
- Preamble to the Hard Labour Bill (1778) and related documents
- Jeremy Bentham, Panopticon (excerpts)
- Margaret DeLacy, Prison Reform in Lancashire (pp. 71-152)

### **October 16 Reform III: The Auburn and Philadelphia Models in Theory and Practice**

- U.R.Q. Henriques, "The Rise and Decline of the Separate System of Prison Discipline"
- William Crawford, Report on the Penitentiaries of the United States [1835], 3-22
- Jonas Hanway, Solitude in Imprisonment [excerpts TBA]
- Jennifer Lawrence Janofsky, "Hopelessly Hardened': the complexities of Penitentiary Discipline at Philadelphia's Eastern State Penitentiary," in Buried Lives
- Daniel E. Williams, "The Horrors of this Far-Famed Penitentiary': Discipline, Defiance and Death during Ann Carson's Incarcerations in Philadelphia's Walnut Street Prison" in Buried Lives.
- [optional] Caleb Smith, "Harry Hawser's Fate: Eastern State Penitentiary and the Birth of Prison Literature" in Buried Lives

### **October 23 Foucault 1**

- Michel Foucault, Discipline and Punish: The Birth of the Prison, Parts 1 & 2

### **October 30 Foucault, 2**

- Foucault, Discipline and Punish Finish the Book

### **November 6 Free week to work on drafts.**

I will be out of town on Thursday but will hold extra office hours earlier in the week

**Rough Drafts are due to Prof. Weil and peer reviewers via email by 9:00 AM on Tuesday  
November 11**

**November 13 paper presentations**

**November 20 paper presentations**

### **December 4 Wrap up: Some reflections on Foucault and Prison History**

- David Garland, Foucault's Discipline And Punish: An Exposition And Critique “ American Bar Foundation Research Journal, ISSN 0361-9486, 10/1986, Volume 1986, Issue 4
- Margaret DeLacy, Prison Reform in Lancashire 1700-1850, Introduction
- Randall McGowan, “Power and Humanity, or Foucault among the Historians.” In Colin Jones and Roy Porter, eds. Reassessing Foucault: Power, Medicine and the Body
- Stephen Watson, “Applying Foucault: Some problems encountered in the application of Foucault’s methods to the History of Medicine in Prisons” in Jones & Porter, Reassessing Foucault

**Final Papers Due Tuesday December 16 @ 3:00 PM in a HARD COPY**