Crime and Punishment

Learning Objective:
To explore crime and punishment in the early modern period.

43 to 410	410 to 1066	1066 to 1154	1154 to 1485	1485 to 1603	1603 to 1714	1837 to 1901	1914 to 1918	1939 to 1945	2000 to today
Roman Britain	Anglo-Saxons and Vikings	Norman Britain	Middle Ages	Tudors	Stuarts	Victorians	World War 1	World War 2	New Millennium
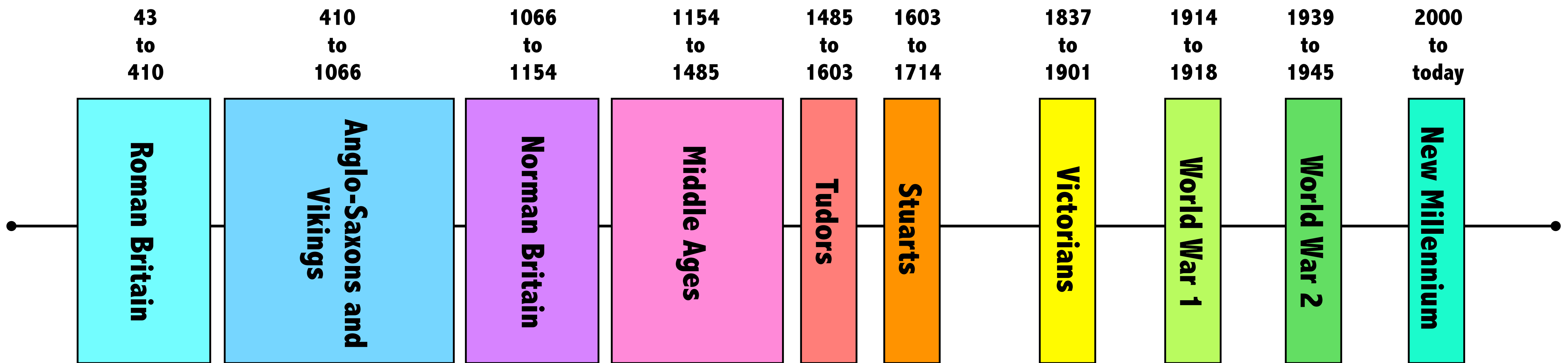
Today we will be studying the early modern period which starts when the Stuarts came to power after the Tudors in 1603. Over the next two hundred years, there was an enormous amount of change in England.

In 1605, a crime occurred that we still commemorate today. Do you know what it is?

In 1605, thirteen men plotted to blow up the Houses of Parliament when the new king, James I, arrived to open parliament. The plotters were Catholic and James I was Protestant so they didn't want him on the throne. However, someone wrote an anonymous letter to warn a Catholic lord about the plot. He passed the letter to the government.

Guy Fawkes was caught red-handed with the gunpowder and he was tortured. There followed an investigation, interrogations and trials. Eleven of the thirteen men were hanged, drawn and quartered for treason.

Divisions in religion continued to cause problems during the early modern period. There were often rumours of Catholic plots to assassinate or overthrow the government. Some people even believe that the Great Fire of London was a Catholic plot and not the accident it was assumed to be.

Different groups of Protestants were also in conflict. Puritans believed in witches and become increasingly suspicious of witchcraft. Many women were accused and executed for witchcraft and were burned at the stake.
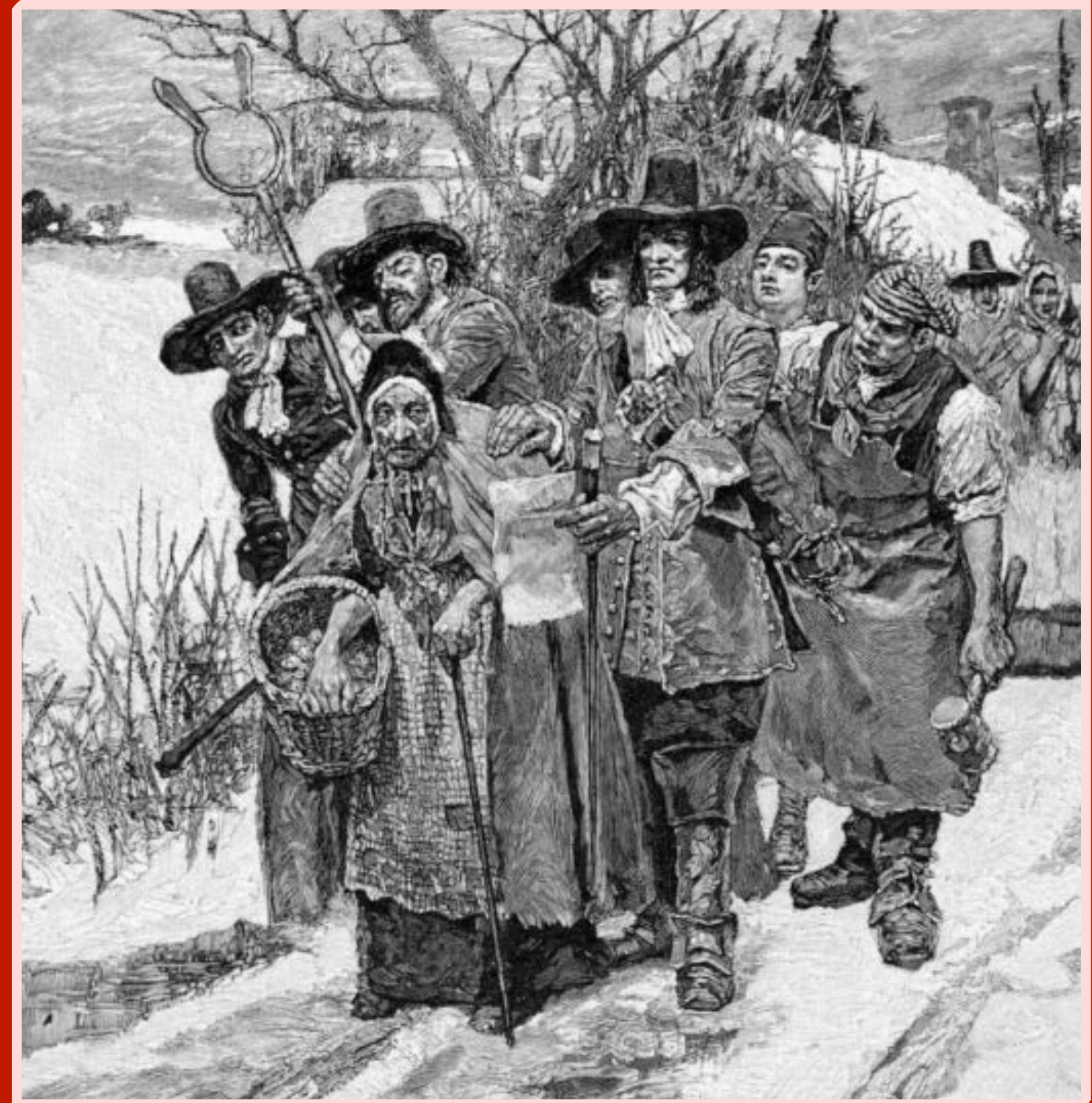
A woman is arrested for witchcraft

Several types of crime became more common during this period. Smugglers became more common because the government raised taxes on importing goods like tobacco and tea. If you smuggled in these goods, you didn't need to pay taxes on them so you made more money.

Poaching also became a common crime. This was because a lot of land was enclosed as huge parks attached to rich country houses. The common people living on these lands were often evicted and sometimes whole villages had to be abandoned. Anyone caught sneaking onto these lands to get food was punished as a poacher.
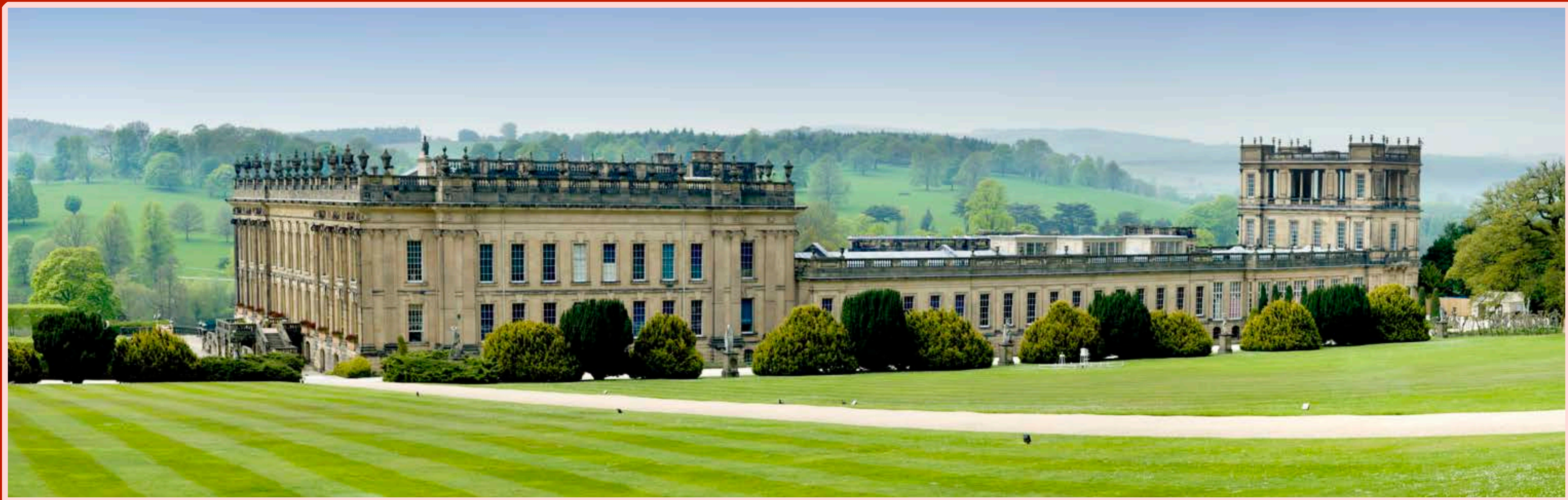
At this time, the rich carried their wealth around with them as there were few banks. This, added to a lot of unguarded roads and an increase in the use of horses, led to a lot of people becoming highwaymen. They would stop horses or carriages on roads and demand that they hand their wealth over.

Crime was detected in the same way as it had been in the medieval and Tudor periods. There were still a small number of beadles, watchmen or constables to investigate crimes and there were still Justices of the Peace in each county to dole out punishments.

However, to prevent what was seen as a rising crime rate (which was mainly due to a rising population), punishments were made very harsh. In 1688, only 50 crimes earned the death penalty. By 1800, this had risen to 200 crimes.
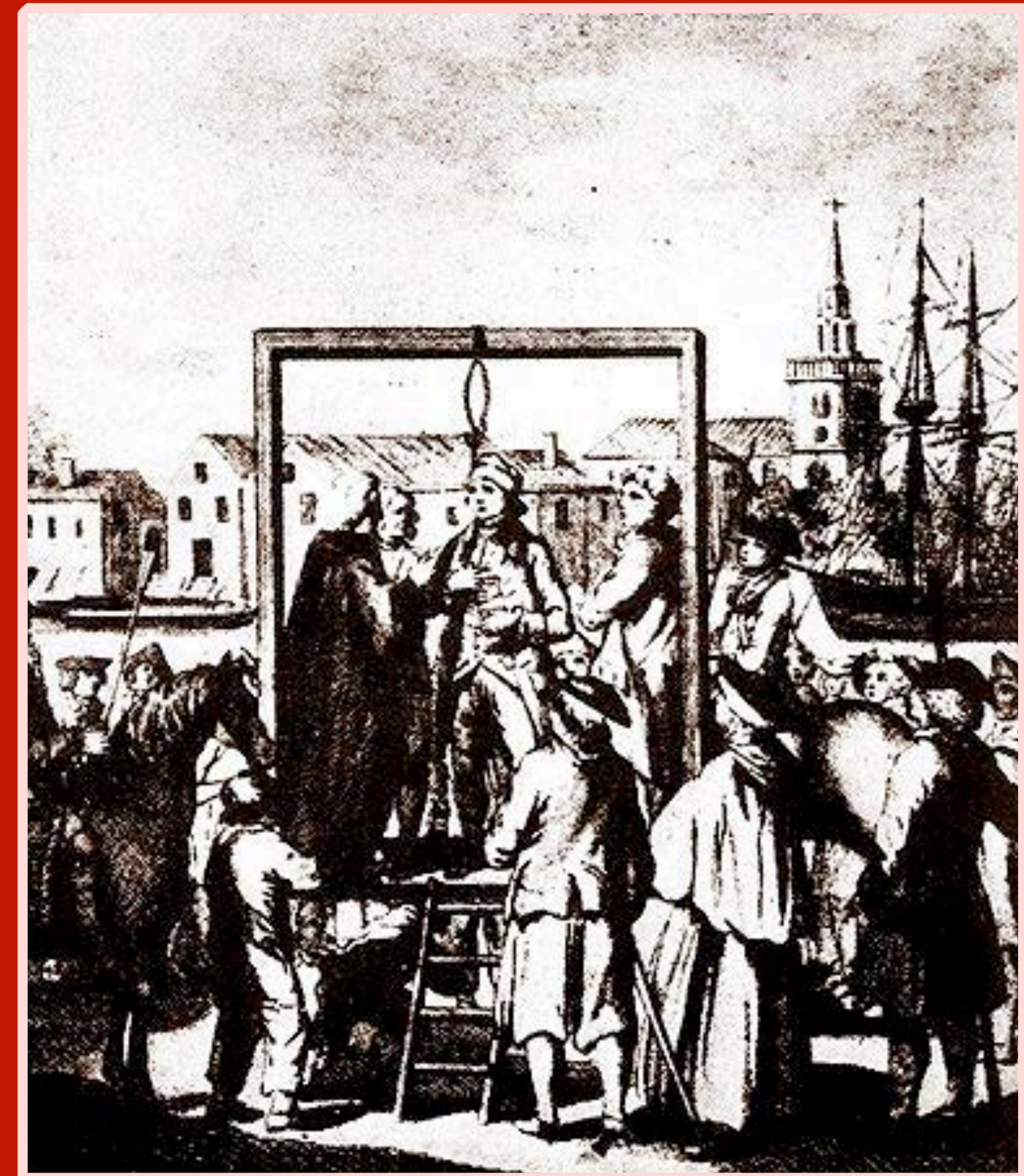
This system of laws became known as the 'Bloody Code'. All the crimes below (and many, many more) were punishable by death under the 'Bloody Code':

Stealing five shillings	Damaging Westminster Bridge	Stealing sheep or horses
Cutting down a young tree	Impersonating a Chelsea Pensioner	Highway robbery

In the end, juries often found people not guilty just so that they wouldn't be hanged.

A new type of punishment was also introduced at this time - transportation to America. This might sound like a nice punishment but America was a new country and it needed builders to build houses and roads, and to work in the fields.

Criminals were sentenced to several years of hard labour. However, they often died before making it to their destination as voyages were dangerous at this time and the ships they travelled on were very crowded and full of disease.