# Crime was increasing phenomenon of early modern towns

Crime is a relatively new area of history; it does not have any long established tradition. However in the last thirty years crime history has been researched in much more detail than it had ever been previously, in national and regional contexts. Up until thirty years ago there had been little research into crime. Crime history became acknowledged in England in the 1970's before then much less was known. In German speaking countries such as Germany the focus was on the criminal code in 1976 and then after this was dormant for more than a decade, almost ignored. But from the early 1990's onwards a younger generation of historians began to discover the criminal justice records. The English historiography of crime and criminal justice has been and continues to be central to developments since the 1970's. At the time there was the groundbreaking work of E. P. Thompson and Douglas Hay on 18th century England. This provided the framework, which then helps us to reconstruct crime in the early modern period in towns. Other influential bodies of work include J. S Cockburn and James Sharpe. Then into the 19th century historians have further contributed such as David Phillips. In the last thirty years there has been an increased development of criminal justice history, this had varied levels of success. However, much of the history of crime still remains unwritten.[1]

During the early modern period England went through religious, social, economic, and political changes that affected crime and social control. ' Peter Clark argued that town underwent major economic and political changes'.[2]With such a large growing population there were bound to be different levels in society leading to conflict. There was increasing dominance of government and the role of the church was diminishing. The

polarisation of power was turning toward the crown and parliament. Most towns were run by the small elite; there was beginning to be an increasing trend in litigation and greater use of legal system rather than riots. Throughout the Early Modern period however, the government with the social and economic elite plus the religious establishment wished to keep crime down to a minimum whilst maintaining the maximum levels of social control.[3]The quality of life was improving for everyone except for the poor, who often had to turn to crime. There were also improvements in transport but this led to new types of crime. Roads were quiet and therefore subject to highway men robberies. In the 18th century the highway robbery became very common. This is because there were few banks in the early modern period leaving to little choice but to carry your money around with you. The roads weren't frequently used or patrolled by police so were perfect places for robberies. Also urbanisation meant an increase in the number of beggars, paupers and criminals. For example in Dartford ' The construction of a Bridewell (prison) and a workhouse in Dartford showed that the local authorities were prepared to tackle the problems head-on'.[4]In Dartford the range of crimes faced were burglary, highway robbery, assault and even murder. Therefore, crime could be seen to be becoming an ever increasing phenomenon, but this could be down to an increased population.

Many changes were taking place in society for example the invention of the printing press led to a greater circulation of pamphlets and newspapers. During the last 3 decades of the 18th century the printed proceedings of the old bailey were dramatically altered. London newspapers for the first time gained the ability to publish their own accounts. This could therefore mean

that crime didn't increase but it was more accessible to read about.[5]The rise of print and perception of crime go hand in hand. Crime was interesting to read especially serious crimes such as murder. It was also often sensationalised. Crime sold so early modern press often focused on crime stories to sell copies. Therefore there were increasing types of crime but the problem of crime was often thought to be worse than it was. Crime was in the public eye and becoming increasingly so. The increase in print along with the population increase simply made the situation worse, with a higher population there were more chances for crime and also more people struggling to survive. Creating a greater poorer population. Women were often more likely to be poor especially if they were not married. They had less ways of making money so turned to prostitution. This was a moral crime, brothels were getting out of hand and were often an accepted part of society, James I visited them. However the perception of crime increasing can be said to of been exaggerated. It was a common perception that all urban areas were hotbeds of crime but in reality there was much less. For example in London the old bailey dealt with the most serious felonies. The old bailey became popularised because of the increase in printing.

Alehouses and coffee houses were becoming more and more popular, leading to new sorts of crime. Coffee houses led to an increase in new ideas and debate which stirred up feeling. In the 13th century there was also an increase in alehouses, they were becoming an increasing part of modern society. With the dissolution of the monasteries alehouses became an alternative place to go that was safe and recognisable. ' With the demise of monasteries and church it meant people gathered elsewhere'.[6]Peter Clark

also stated that they were out of the watchful eye of the authority which meant they could be seen as a hotbed for crime. ' At the alehouses the pickpockets hide themselves till dusk, and gangs of thieves form their plots and routs'.[7]They brought about negative consequences such as drunken behaviour, festivities getting out of hand, they attracted the poor fuelling moral issues, they also encourage criminal and violent behaviour, fights broke out resulting in damage, fines, death and homicide. They had to have a network; this is where the taverns and innkeepers came in to provide safe houses. This required structure. However it is important not to exaggerate how great crime was. ' Even in early eighteenth century London, where organised crime had reached a highly sophisticated level, criminal bands rarely included more than a dozen members'. Also in comparison to the medieval town where violence was widespread such as homicide, in Amsterdam between the 16th and 18th centuries homicide rates fell. So to say that crime was an ever increasing phenomenon was only true in some aspects. Some sorts of crime fell.[8]

Early modern towns were tough places to live; health problems caused high levels of immortality. This was because of lack of adequate health care and sanitation. This then led to the inevitable spread of disease. The life expectancy in towns was therefore usually lower than that in the countryside where the air was cleaner. Mortality was often higher than the birth rate, however you would therefore expect to see a decrease in population but instead the population expanded greatly. As population grew rather than expanding outwards into the suburbs towns just subdivided and grew more cramp. Making them very densely populated.[9]This led to a rise in food

prices and meant competition was fierce. With people struggling, some especially the poor turned to crime. By one set of estimates, London hosted about 50, 000 souls at the beginning of the Tudor era. By 1600 that number had more than doubled to 120, 000, and by 1700, London's inhabitants numbered about 500, 000. At its peak, the city core had a population density of about 200 people per acre.[10]The early modern town can often be seen as fragile. The ideal of a community working together failed due to competing interests. ' Despite all efforts by the urban elite to maintain order and ensure a minimum level of material and social satisfaction among the inhabitants, it was inevitable that conflicts would occasionally break out between the different groups in the community'.[11]Therefore to keep stability the towns and cities needed to be governed well.

It is therefore not surprising that not all community relations were good, with people so densely packed in a small area of space in towns and cities there was bound to be conflict and crime as a way to get by. From looking at court records it is visible that many people rose up. There was always the fear of social unrest. Growing populations created urban problems. Urban governments felt that only unified elite and harsh public punishments could keep everybody under control. With the exception of the mid 17th century there was at the time no coherent police force. Without professional police and a wide range of alternatives in the early modern period formal prosecution was rare. Constables helped to patrol crime, they were ordinary citizens who had been around since 1285, every male householder was ordered to take his turn in helping the community. However by the end of the 17th century this system was entirely flawed due to population increase.

This population growth fuelled an increasing need for policing. This therefore leads to the perception that crime was increasing and out of control. But in reality the policing was simply inadequate for the growing population. People were migrating to urban areas and the economy was growing. You could no longer regulate the neighbourhood by traditional means.

' Between the 16th and 19th centuries England was transformed from being one of the less urbanised regions of Europe to the most urbanised nation in the world'.[12]There were many motives for crime such as need, poor people did it to provide for themselves, gain, or had a belief that they genuinely believed the law was wrong so they took crime as rebellions. There were many different sorts of crime in early modern towns. There were petty criminals. They stole money or goods from others especially in busy places. Also due to industrialisation social problems arose in the 18th century. The gap increased between the rich and the poor so the poor became rebellious to defend themselves and fought back for economic order. They wanted social security. The poor were often closely linked to crime, the poor lived outside the church in blasphemy and people often argued in giving alms it often did more harm than good and helped the network of crime. The poor often turned to crime due to having no choice. The records left however, are those of the elite so this only shows their view, they could not understand the desperation of the poor who may have no choice but to turn to crime. However it is also important to remember that these moralists were not as harsh as they seem. In the early modern period crime was linked to the idea of ruining your soul and not going to heaven.

Of course every large town or city did have a small core of professional criminals who preyed on people. However, ' there certainly was much crime in the early modern city, but little of it was committed by professional criminals. As in any society members of every social group were punished for criminal acts. But it seems most likely that most crimes were committed by men and women whose social situation placed them somewhere between the great mass of well established house holding families on the one hand and the tiny core of professional criminals on the other. There were those in society struggling to survive and so inevitably succumbed to crime, some even referred to the good life of crime and new that one day they were likely to be arrested, convicted or executed. ' There is certainly no question that many people earned their living entirely through activities which the authorities labelled as crimes'.[13]There is evidence from early modern cologne which supports this impression. From a sample group of 2000 people arrested on criminal charges between 1568 and 1612 not all were criminals. However many people did earn their living entirely through crime. They had a lack of resources ' they were victims of economic circumstances, either their own resources were too limited or the cities capacity was too narrow'. [14]Every large city did have a small core of professional criminals. Crime was increasing by the late 15th and early 16th century due to new forms of crime such as gangs of professional gamblers, tricksters and con artists. They moved from town to town, city to city.

There were new challenges not just simply the breakdown in society and towns but between 1500 and 1800 there were new thoughts circulating about God. The reformation created new feeling that divided society and was

bound to lead to more crime. The religious question in the 16th and 17th centuries was linked to crime. ' The schism within in Christianity after 1520 led to an increase in crimes of divine lese-majesty in both secular and ecclesiastical jurisdictions, especially where Inquisitions were present.'[15]But to say that crime was an ever increasing phenomenon implies that we have a way of measuring it. But this is difficult because people's perceptions of what crime are changes over time, and what is considered a crime also changes. ' In early modern Europe the boundaries between what was perceived as a sin and what was seen as a crime, for instance, were rather blurred. Before the establishment of a criminal code it is virtually impossible to distinguish exactly between crime and conflict. During the fifteenth century, even manslaughter was not necessarily regarded as a case which had to be taken to court. Two hundred years later, it definitely had become a responsibility of the criminal courts'.[16]Also before the establishment of the criminal code it was virtually impossible to distinguish between crime and conflict. During the 15th century even manslaughter was not regarded as a case which had to be taken to court. ' Two hundred years later, it definitely had become a responsibility of the criminal courts.[17]

Therefore to say it was an increasing phenomenon is hard because comparing it to the past assumes what is a crime now was then. Also compared to the medieval feudal society European towns were perceived by contemporaries as places of freedom. It needs to be placed into context. Early modern towns were a place where crime would occur, more so than the countryside, but towns and cities had developed legal institutions which

helped to keep stability. There was a clear will which can be seen in statutes and town records to ensure peace and stability. If there had not been this will sources on crime and conflict would not exist. ' Max Webber argues that the fundamental objective of the confraternity of town dwellers was to establish means of protection and non-violent conflict settlement to facilitate and enhance the growth of trade and industry.[18]

Therefore, crime can in some respects be seen as a phenomenon in early modern towns to some extent it did increase. Times were changing, new ideas were being circulated and the church was collapsing. Security and stability was constantly being challenged such as disasters, disease and warfare. ' Despite the efforts by the urban elite to maintain order and ensure a minimum level of satisfaction, it was inevitable that conflicts would occasionally break out among different groups within the community'. [19]There were the poor who were victims of economic circumstance, their resources were limited. As in any towns and cities officials kept a watch on how the people behaved. However they could not control every aspect of law and order. Courts did keep records of those that were sentenced or acquitted yet there must have been crimes that were not reported and criminals that remained unpunished. Some argue that if the crime figures are accurate then the Early Modern England saw higher levels of crime than in the preceding and succeeding periods despite social control being stronger than before. However it all depends on how crime is measured and what is considered a crime in the context of the time. It may simply be that crime began to be monitored more closely than ever before.