

The University of Western Ontario
Department of History
2007-2008

History 299G
Law and Society in England, 1700-1900

Tuesdays 12:30-2:30

Instructor: Allyson N. May

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This lecture course looks at the development of both civil and criminal law in the centuries in which England became a commercial, industrial, and urban nation. It begins with an examination of the origins of the common law and then moves to focus on the English courts, the process of law making, the legal profession, legal education, property law, the late eighteenth-century development of commercial law, the legal status of women, reform of the criminal law, and the place of law in constructions of English identity. The relationship between law and society is a central theme of the course.

Required texts: J.H. Baker, *An Introduction to English Legal History*, 4th ed. (London: LexisNexis, 2002).

Assignments: Document study (25%)
Essay (35%)
Final exam (40%)

Students are expected to follow the *Chicago Manual of Style* in preparing written assignments.

Submission of these assignments is twofold: you must send an electronic copy to Turnitin.com, and provide the course instructor with a print version of the identical paper. Work will not be graded unless both paper and electronic copies are received. Retain both a copy of your paper and any early drafts or rough work. You may be required to submit these as well.

Deadlines and extensions: Due dates are not flexible. Extensions will only be granted for medical or family emergencies; they must be applied for before the assignment is due and accompanied by the proper documentation. A late penalty of 2% per day, including weekends, will be levied on work submitted after the deadline without an extension.

Appeal of grades: Any request for reconsideration of a grade on a course assignment MUST be submitted in the form of a written statement outlining the reasons for your request. Please bear in mind that an appealed grade can be lowered, left unchanged, or raised.

Plagiarism: Plagiarism is a serious academic offence. It will be reported to the university authorities and result in failure and academic sanctions. Assignments must be written in your own words: any phrases, sentences, or passages lifted from someone else's text must appear in quotation marks. Sources for both quoted material and ideas must be acknowledged via footnotes or endnotes.

- 1 (8 Jan.) England: An Introduction**
Suggested reading: Douglas Hay and Nicholas Rogers, *Eighteenth-century English Society: Shuttles and Swords* (Oxford, 1997) or Roy Porter, *English Society in the Eighteenth Century* (London, rev. ed. 1990)
- 2 (15 Jan.) The Origins of the Common Law**
Required reading: Baker, chaps. 1 & 2
- 3 (22 Jan.) The English Courts**
Required reading: Baker, chaps. 3 & 6
- 4 (29 Jan.) Law Making**
Required reading: Baker, chap. 12
- 5 (5 Feb.) The Legal Profession**
Required reading: Baker, chap. 10
- 6 (12 Feb.) Legal Education**
Required reading: Baker, reread final section of chap. 10, & chap. 11
- 7 (19 Feb) Property Law**
Required reading: Baker, chaps. 13, 15 & 16
- CONFERENCE WEEK**
- 8 (4 Mar.) The Law and Commerce**
Required reading: Baker, chaps. 18 & 20
- 9 (11 Mar.) Nineteenth-Century England**
Suggested reading: W.D. Rubinstein, *Britain's Century: A Political and Social History, 1815-1905* (London, 1998), Pt II
- 10 (18 Mar.) The Law Relating to Persons**
Required reading: Baker, chaps. 27 & 28
- 11 (25 Mar.) The Criminal Law**
Required reading: Baker, chap. 30
- 12 (1 Apr.) The Criminal Trial**

Required reading: Baker, chap. 29

13 (8 Apr.) Law and Lawyers in the English Imagination
No reading for this week