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Mentalities from crime

The value of criminal records for history is not so much what they uncover about a particular crime as what they reveal about otherwise invisible or opaque realms of human experience.


This is a book about the changing mental world of English people between the mid-sixteenth and mid-eighteenth centuries, and how that world might be reconstructed and understood through the history of crime and criminal justice. As such, it is concerned with crime only in so far as crime allows insights into mentalities, rather than with crime per se. Indeed, attention is limited to three specific crimes – witchcraft, coining and murder – the aim being to explore what public and private reactions to these peculiarly significant offences reveal about how our ancestors – mostly ordinary working people – perceived themselves, their social environment and their universe, and, conversely, how these perceptions both reflected and shaped popular beliefs and behaviour over time.

Although, like all excursions into the history of mentalities, these case studies will attract criticism of both purpose and method, it is a central contention that the most one can do is explain what is to be described and how, all the while keeping a careful eye on reasonable limits of interpretation. This introductory chapter, therefore, draws upon a range of historical and anthropological works to define mentalities in general, and indicate what they mean here in particular. From there, four themes of long-term continuity and change are outlined, then linked to the concrete human contexts from which they derive substance and meaning. Finally, the case is made for using crime-related sources to recreate these contexts, with particular reference to the offences specified. In short, this chapter suggests ways in which historians can recover mentalities from crime – patterns of cognition, motivation and behaviour which the passage of time has otherwise concealed from view.
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HISTORY FROM WITHIN

Social historians of early modern England have achieved a great deal in the last thirty years. The world we had lost has been regained, extended, and much of it explained. We now understand in detail England’s huge expansion and diversification of population and economy in this period, accompanied by momentous shifts in many areas of life: social structure, community, the family, kinship, literacy, religion, labour, poverty and disease to name but a few. Moreover, this history from below has been fully integrated with traditional historical issues; it has matured into a history with the politics put back. Yet still we lack a proper cultural history; not a study of court manners and high art, nor a history of popular culture in a narrow sense, but a history of social meanings: the way ordinary folk thought about their everyday lives. Research in this area helps to reconnect the world we have regained to the people whose outlook remains obscure, an outlook which influenced, and was influenced by, currents of long-term historical change, but has more often been assumed than demonstrated. We have a history from above, and to this a politicized history from below has been added. Now, in order to further our understanding of ourselves in time, we need to develop a history from within—a history of English mentalities.  

The history of mentalities as a discrete concern has progressed further for the Continent than for England. Emmanuel Le Roy Ladurie, Carlo Ginzburg, Robert Darnton, Natalie Zemon Davis and others have built on foundations laid by the generation of the French Annales school—notably Johan Huizinga, Fernand Braudel, Lucien Febvre and Marc Bloch—to produce many penetrating insights. For early modern England the record is less distinguished. Keith Thomas and Lawrence Stone are outstanding in the boldness of their scope and judgement, and other scholars—Michael

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MacDonald and Paul Slack for example – have followed their lead. Yet comparatively few have addressed English mentalities directly by searching for meanings behind appearances (as might an anthropologist or ethnographer), or connecting their discoveries to a wider mental landscape. This failing is hard to explain, although a clue lies in the fact that l’histoire des mentalités has often been viewed as a foreign idea best kept at arm’s length, and in a safely untranslated form. Prominent British historians who have shown an active interest in popular thinking – such as E. P. Thompson and Christopher Hill – on the whole have been inspired more by Marx than the annalistie pioneers, and, like their French colleagues Michel Vovelle and Michel Foucault, have tended to conceive mentalities as fragmented political ideologies embedded in social structures, relationships and institutions, and accordingly have emphasized forcibly the role of class conflict, subordination and resistance.

One reason for this lack of universal appeal is the difficulty of establishing what mentalities actually are; too many historians either avoid the term (fearing its vagueness), or use it casually as if its definition were self-evident. There are parallels with the term ‘popular culture’, the historical validity of which has been questioned ever since Peter Burke’s seminal study first appeared in 1978. Not only has there been a more advanced understanding of social relations limited what ‘popular’ can reasonably mean, but ‘culture’ has expanded profligately to embrace many aspects of human existence. The problem common to both historical sub-fields is ethereality. Mentalities in particular have no tangible existence and leave only


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oblique marks on the written record – faint sounds which barely disturb what Professor Darnton has called ‘the vast silence that has swallowed up most of mankind’s thinking’. Scepticism also exists about the need for a history of mentalities at all, especially one where conscious distinctions are made between what our ancestors said and did on the one hand, and what they thought and meant on the other. At a time when the contribution of postmodern relativism to history is increasingly disputed, one wonders whether the quest for popular thinking is worthwhile, even assuming that it is feasible.

And yet the task can be approached more constructively. As Jacques Le Goff has argued, ‘the immediate appeal of the history of mentalities lies in its very imprecision’, for this leads us into historical pastures new. Mentalities embrace attitudes, ideas, values, sensibilities, identities, passions, emotions, moods and anxieties – universal human characteristics worthy of study not just in themselves but because they have a bearing on historical action and are subject to change over time. To arrive at a more exact definition, one must first confront some taxing conceptual problems. Are mentalities more than what F. W. Maitland once referred to as ‘common thoughts about common things’? Are they best characterized as a structure or a process? Can they be apportioned between elite and popular camps with any degree of confidence? Is it possible to speak of a ‘collective mentality’ as did Fevère, or Richard Cobb’s ‘unwritten collective orthodoxies’, without reducing mentalities to a meaningless lump? Another problem concerns whether one can, or should, impose distinctions between ideas, attitudes and mentalities? To E. P. Thompson ideas were consciously acquired intellectual constructs, whereas attitudes were more diffuse, shifting constantly but often imperceptibly. Similarly, Peter Burke has suggested that ‘to assert the existence of a difference in mentalities between two groups, is to make a much stronger statement than merely asserting a difference in attitudes’. It seems no two historians see mentalities in quite the same way. Peter

Burke makes a distinction between ‘strong’ and ‘weak’ mentalities, the former grand intellectual structures, the latter more prosaic habits of mind – positions which correspond respectively to Bloch’s interest in macrohistorical social structures, and Fevre’s microhistorical psychological and personal concerns. Using this definition, psychology, ethnology and social anthropology have greatly inspired the history of ‘weak’ mentalities by enhancing an awareness of mental and cultural difference and offering ways to understand it. Earlier this century, the anthropologist Lucien Lévy-Bruhl put forward the idea that ‘the primitive mind’ displayed characteristics of a distinct ‘prelogical’ mentality, a revised version of which (one allowing more room for nurture over nature) persuaded Sir Edward Evans-Pritchard not only that it is *how* we think that makes us what we are, but that cultural variation is due more to accumulated experience than to innate psychology. Thus social anthropology was steered away from the function of rituals and customs, and towards their meaning – a shift in emphasis from society to culture, and, in our terms, from below to within. All cultural historians share in this inherited tradition, and yet precision in defining mentalities remains elusive.

It may be helpful to think of mentalities as a bridge between social history and intellectual history. Recently, historians have deployed phrases such as ‘the social history of beliefs’, ‘a historical anthropology of ideas’, ‘the social history of ideas’, and ‘a cultural anthropology of thought’ – the constituent words seeming almost interchangeable. Returning to distinctions between mentalities and ideas, one might see the former as more unarticulated and internalized than the latter which were more expressible and tangible. In his classic work *The cheese and...*
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the worms, Carlo Ginzburg is concerned with the ‘inert, obscure, unconscious elements in a given world view’, and so differentiates between ‘mentality’ and what he sees as the greater solidity of ‘culture’.21 Perhaps, then, unconsciousness is the key to understanding collective mentalities, defined elsewhere as ‘the root-level structures of thought and feeling that undergird the more complex but superficial formulations of elitist intellectual life’.22 However, mentalities also differ from ideas in that they are not confined to the educated élite, but extend across the social order. Indeed, the ‘weak’ mentalities which Burke attributes to ordinary people include unconscious assumptions and conscious thoughts just like their ‘strong’ counterparts.23

It is not the intention to get bogged down in semantic preferences, nor to engage in wider debates about sociolinguistics, cultural anthropology and ‘new historicism’. Suffice it to say that historians of mentalities should be concerned with dynamic connections between perception, cognition, motivation and action: what people saw, thought, wanted and did.24 They should also be aware of three problems.25 First, the debt to anthropology carries the difficulty of extracting general truths from specific data; in short, how to advance beyond the anecdotal.26 It is all too easy to construct circular arguments ‘where the only evidence of the mentality postulated is the very data that that postulate is supposed to help us understand’.27 Secondly, it is questionable whether general truths exist anyway. The natural tendency to treat culture as a collective and homogenous entity obscures diversity and the difficulty of accounting for it.28 Thirdly, the problem of cultural homogeneity extends to change as well. That things were different in 1300 and 1800 is far more obvious than the means by


which to describe and explain that difference.²⁹ As long as the temptation to view history as an inexorable process of modernization is resisted, it is apparent that more people imagine and determine the future according to what they already know, than what they think they might discover. Hence we should be concerned with continuity as much as change, the two overlapping or arranged in parallel.³⁰ The paradox at the heart of the history of mentalities is that the same mental structures which permitted free cultural expression also served to restrict it, with the outcome that all innovation was simultaneously radical and conservative, and all development gradual and unpredictable.³¹

This book offers guidelines not definitive solutions. First, even though we should not assume difference between every aspect of our ancestors’ thinking and our own, we should at least expect it, especially since this otherness – or ‘alterity’ – is the basis upon which the study of lost cultures rests.³² The second recommendation is this: as difficult as it is to identify specific moments and places of transition, we must none the less remain sensitive to the sluggish imperative of historical change. These two ideals – alterity and transition – are summed up in G. E. R. Lloyd’s definition of mentalities as: ‘what is held to be distinctive about the thought processes or sets of beliefs of groups or of whole societies, in general or at particular periods of time, and again in describing the changes or transformations that such processes or sets of beliefs are considered to have undergone’.³³

Central here is the need to observe distinctions between universal biological constants and the changing cultural forms through which they are manifested, thereby avoiding Fevret’s ‘psychological anachronism’ – to him ‘the worst kind of anachronism, the most insidious and harmful of all’.³⁴ Put simply, mentalities should be expressed according to the ways in which the mind allows human beings to think and feel, but also how

²⁹ Lloyd, Demystifying mentalities, p. 139.
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language and culture enable these thoughts and feelings to be articulated. Herein lies the seat of consciousness.35

Finally, mentalities are not vague abstractions but dynamic products which were integral to the shaping of historical events and patterns of social, economic and political development, just as popular culture can be rendered more manageable by viewing it as the practical observance of customary rights and usages, and thereby bringing it down to earth.36 We need to study actions over time, and in terms of broad themes spanning the period of structural continuity christened the longue durée by the Annales historians.37 Four themes have been chosen here: the reformation of religion and public conduct; state formation and administrative innovation; the secularization and desacralization of daily life; and changes in social relationships and cultural identities. Although these themes pervade the entire book, and are addressed in greater detail in chapter 8, what follows is a preliminary sketch of how English mentalities were affected in each instance, together with an explanation for why these changes need to be located historically in solid and dynamic social contexts.

THEMES AND CONTEXTS

The Protestant Reformation was not merely ‘a legislative and administrative transaction tidily concluded by a religious settlement in 1559 but a profound cultural revolution’ lasting from the 1530s to the mid-seventeenth century.38 The implementation of new doctrine, in particular, affected people’s experience of the natural and supernatural worlds. Increased emphasis on the autonomy of God as both author and judge of temporal events bound them into a morally sensitive universe where orthodox prayer was the only permitted means of appeal and appeasement, and the seemingly real presence of the devil loomed correspondingly large, all of which encouraged sinners to see their mortal souls as caught between the ambitions of two great cosmic rivals. Church and state alike concentrated judicial attention on personal conduct, the goal for the most ardent reformers being nothing less than a purified godly commonwealth. The

35 Sinnamon, Humming tree, pp. 22–5.
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later seventeenth century saw the frustration of such ambitions, the waning of ecclesiastical authority, and the fragmentation of Protestantism. And yet by 1700 lasting changes can be detected. New understandings of authority permeated daily life, reinforcing social identities which had been shaped by economic and political change, and Protestantism established as the creed of the English, with the power to mobilize the patriotic support of even indifferent Protestants in times of national danger. Fear of Roman Catholics at the time Elizabeth fought Spain, a century later – during the French wars – evolved into fear of Catholic Jacobites and the challenge to the royal succession, and was reflected in the political antipathy between Tories and Whigs. In wider eighteenth-century society, this antipathy corresponded to opposition between high and low churches respectively, although by 1750 the faith of most people had settled into a mild Anglicanism. As a battle for hearts and minds fought throughout the shires and cities of England, then, the Reformation was a revolution not just from above or below but within – a diffuse transformation of the social psychology of a nation.

The symbiosis of religious and secular ideology made the expansion of the state appear divinely orchestrated and sanctioned at every turn. Among the primary ambitions of government were the suppression of disorder – whether rebelliousness in the nobility or pugnacity in the lower orders – and a corresponding monopolization of violence in the form of ritualized public punishment. More generally, state-building relied on the centralization of law and judicial practice, and the uniform implementation of authority in even the darkest corners of the land. A lasting solution was found in the Tudor innovation of ‘stacks of statutes’ heaped upon justices of the peace, their work augmented by other amateur officers – constables, sheriffs, coroners, jurors, churchwardens – whose power was based on social rank as much as royal authority. Nor were these changes foisted upon an entirely reluctant populace. By 1630 a popular legal culture was thriving in England, indicating that the state ‘was manifested not only as an agency for initiatives of control and coercion, but as a resource for the settlement of dispute’ which positioned itself and the community ‘on a continuum of interest and identity’.39 By this time, the agencies of law routinely tackled onerous social problems, notably urban poverty, and the state grew in size and complexity as a consequence. The financial revolution of the 1690s allowed the creation of a military-fiscal state able to wage sustained international warfare, and a burgeoning bureaucracy which marginalized the Crown. Class identity complemented identity derived