

Course Outline

COURSE:	LAWS/HIST 3305T – Crime and State in History
TERM:	Fall 2016
PREREQUISITES:	Third-year standing or above
CLASS:	Day & Time: Room: Online section, recorded version of section B For further information, see http://carleton.ca/cuol/
INSTRUCTOR: (CONTRACT)	Joel Kropf
CONTACT:	Office: B442 Loeb Office Hrs: 11:00-12:00 Tuesdays and Fridays Telephone: (613) 297-9028 Email: Joel.Kropf@carleton.ca

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://carleton.ca/pmc/students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original

source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:
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Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

COURSE DESCRIPTION

This course will explore the changing nature of criminal justice over the past four centuries within what we now know as Canada. Many of the criminal laws, judicial structures, and penal practices in the settler societies established by France and Great Britain in northern North America stemmed from or reflected developments in the Old World, and occasionally we will therefore take note of important shifts that occurred in Britain or continental Europe. But most of our discussion will centre on events in Canada, which will themselves give us a sense of the major trends within the broader English-speaking world.

The most pivotal parts of our story arguably took place in the late eighteenth and the nineteenth century, with the adoption of British criminal law, the rise of the legal profession, the transition to imprisonment, the establishment of regular police forces, and so forth. However, the course will also provide a brief taste of the intriguing early-modern French form of criminal justice employed in New France prior to the British conquest. Moreover, the later lectures will consider how such factors as juvenile justice, parole, and dangerous-offender legislation partly re-flavoured the state's approach to crime during the twentieth century. We will make a special effort throughout to pay attention not only to the practical and procedural logic of criminal justice, but also to the cultural norms and symbolic meanings to which it gave expression.

REQUIRED TEXTS

All students are required to purchase the LAWS/HIST 3305 B/T coursepack, available at the university bookstore. (Make sure you purchase the coursepack for **section B/T**, which is different than the coursepack for section A.) The majority of the required readings are found in the coursepack. The remaining selections are available online and can be accessed through links provided from the course cuLearn page. For a list of the readings assigned each week, see the provisional schedule on pages 4-8 of this course outline.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Participation: 15%
Reading responses: 20%
Research essay: 25%
Critical response assignment: 5%
Final Exam: 35%

1. Participation (15%):

In most weeks, roughly an hour of our class time will be devoted to discussion of the assigned readings, as outlined on the provisional schedule. As a student in section T, you will not be present to take part in the in-class oral discussions. Instead, you will be required to participate in an online discussion forum on the course cuLearn site during the week. You may comment in the forum right away during the last hour of class, or you may do so at any time in the following week prior to the next class (when the forum for that week will close). For each week, half of your mark will be based on whether you participate, and half will be based on the quality of your input. To get any marks, you must comment on at least two different days before the next lecture. As long as you leave an on-topic comment on at least two different days, you will receive at least a 50% for that week. Whether and how many marks you get above and beyond this will depend on the quality of your input to the discussion.

You may reply to an existing comment from another participant, or you may leave a separate comment to start a new thread. At times the TAs or the instructor may participate in the forum, but there is no need to wait for them to post a question or a response—the main idea is for you to discuss the topic with one another. To get top marks, you will probably have to leave more than just two comments. However, there is no hard-and-fast rule here. Sometimes you may wish to leave a lengthy, involved comment to explain your thoughts; at other times a very brief reply to someone else will fit into the conversation more naturally. The key is to demonstrate that you are thinking about the topic, and to contribute helpfully to the discussion.

Vigorous debate is welcome, but comments must maintain a respectful tone. Personal invective is unacceptable; you are expected to show the same respect for one another that you would display in a face-to-face discussion in the classroom.

2. Reading responses (20%):

Prior to each class, you will be required to submit a 300- to 500-word written response to the readings assigned for that day. Your response must answer the question listed for that day in the provisional schedule on the following pages of this course outline. You must submit it electronically (prior to class) on the course cuLearn page.

There are eleven discussions planned for the semester; you are required to submit a reading response for **six** of these. If you choose to complete more than six, I will use your best six marks to calculate your grade. Please note that you **must** submit at least six in order to pass the course.

3. Research essay (25%):

The major assignment for the term is an 8- to 10-page research essay. This will be due on **November 10**. You will write on a topic of your choice, but you must clear your proposed topic with the instructor before proceeding with the essay. As a preliminary step, on **October 13**, you will be required to submit a very brief proposal, consisting of 1) a statement of your general topic, and 2) the specific question that your essay will try to answer. For further details on the essay, see pages 8-9 in this course outline.

4. Critical response assignment (5%):

Along with your research essay, you will be required to submit a 2- or 3-page response to your own paper. For this second part of the assignment, you will imagine that you are an individual involved in the historical practice, event, or phenomenon that the essay has analyzed, and you will write what you think that person might have said if he or she were to have read the essay. The response will provide that individual's assessment of your analysis. For further details on this assignment, see pages 8-9 in this course outline.

5. Final exam (35%):

The final exam for this course will be a sit-down examination which the university will schedule at some point during the regular exam period (December 10-22). The exam will include both short-answer questions and an

essay, and will be based primarily upon the lectures, although you should also be ready to demonstrate what you have learned from the class discussions and the course readings.

***Optional assignment:**

There is a company named Haunted Walks Inc. (www.hauntedwalk.com) that provides two walking tours in downtown Ottawa: the Crime & Punishment Jail Tour and the Ghosts and the Gallows Tour. If you wish, you may take one of these tours at some point in the semester and submit a one-page (single-spaced) reflection on the experience. Your reflection should answer the following: did the tour give you the same kind of impression about the history of crime and punishment as you have been getting through this course, or did it give you a different impression?

- If the tour's portrayal seemed similar to what the course has offered, then identify some of the similarities, and offer at least one criticism of what both the tour and the course are saying (or identify one question that you wish they would answer).
- If the tour created a different impression than the course, then describe how the two differed, and explain why you think they do so. Which one do you find more believable?

The last possible date to submit this reflection will be **December 8**. It will count as one of your six required weekly reading responses. If you have already submitted six reading responses, then this reflection will give you bonus marks (up to 2% of the final course grade, depending on the quality of the reflection).

(NB: The tours may not necessarily be offered throughout the whole semester. If you wish to do this assignment, it is your responsibility to check the tour schedule and arrange to go on a date when one of the tours is running.)

Late Policy for Essays:

Late essays and critical-response assignments will be penalized 2% per day, up to a maximum of 15%.

Required Assignments:

Please note that students must submit **all** required assignments (the research essay, the critical response, and six weekly reading responses) in order to pass this course.

SCHEDULE

(Note: the instructor reserves the right to revise the lecture topics, discussion topics, readings, or questions as the term progresses.)

PART I: EARLY-MODERN FRENCH JUSTICE

Week F-P: September 8

Introduction

Lecture: Violence, Pain, Honour, and Law in the Early-Modern European World

Week F-1: September 15

Lecture: A Place of Honour: Crime and Punishment in New France

Discussion: Attitudes toward Violence and Pain

- Readings:
 - Excerpts from the Jesuit Relations: (These are available **online—a link is provided on the course cuLearn page**. For each selection, the cuLearn link takes you to the first page in the excerpt; you will then have to use the arrow buttons at the top right of the image to click to the following pages. Note that these pages alternate between French text and English translation; you are of course required only to read the English text, which appears on every second page.)
 - Volume 5, pp. 219-221 (Father Paul Le Jeune, 1633)

- Volume 13, pp. 37-83 (Father François Joseph Le Mercier, 1637)
- Volume 47, pp. 303-305 (Father Jerome Lalemant, 1663)
- Volume 51, pp. 205-209 (Father François Le Mercier, 1667-1668)
- Paul Friedland, “Beyond Deterrence: Cadavers, Effigies, Animals and the Logic of Executions in Premodern France,” *Historical Reflections/Réflexions Historiques* 29, no. 2 (Summer 2003): 295-317 (**in coursepack**)
- Question: How would you describe the Jesuit missionaries’ attitude toward violence and toward pain? How (if at all) might the Friedland article help us to understand their attitudes?

PART II: THE ERA OF BRITISH JUSTICE

Week F-2: September 22

Lecture: A Legitimate Government? Criminal Justice under British Rule from the Conquest to the Rebellions

Discussion: Criminal Justice in Eighteenth-Century England

- Readings:
 - Douglas Hay, “Property, Authority and the Criminal Law,” in Douglas Hay, Peter Linebaugh, John G. Rule, E.P. Thompson, and Cal Winslow, *Albion’s Fatal Tree: Crime and Society in Eighteenth-Century England* (London: Allen Lane, 1975), 17-63 (**a link is provided on the course cuLearn page**)
 - John H. Langbein, “Albion’s Fatal Flaws,” *Past and Present*, no. 98 (February 1983): 96-120 (**in coursepack**)
- Question: Summarize the thesis of each essay in one or two sentences, and then explain which essay you find more convincing, and why.

Week F-3: September 29

Lecture: The Transition to Incarceration

Discussion: The Creation of Kingston Penitentiary

- Readings:
 - “Sundry Documents: Report of Select Committee on Expediency of Erecting a Penitentiary,” *Appendix to Journal of the House of Assembly of Upper Canada* (1831) ([Toronto: J. Carey, 1831]), 211-212 (**online—a link is provided on the course cuLearn page**. The link takes you to the first page in the document; you will then have to use the arrow buttons at the top right of the image to click to the following pages.)
 - “The Penitentiary,” *Kingston Chronicle & Gazette*, December 14, 1833 (**CP**)
 - A Tradesman, letter to the editor, *Kingston Chronicle & Gazette*, December 21, 1833 (**CP**)
 - “For the Chronicle and Gazette” (proceedings of a public meeting), *Kingston Chronicle & Gazette*, February 14, 1835 (**CP**)
 - A Plain Man, letter to the editor, *Kingston Chronicle & Gazette*, June 18, 1836 (**CP**)
 - Scrapper, letter to the editor, *Kingston Chronicle & Gazette*, June 29, 1836 (**CP**)
 - Charles Duncombe, “Report of Commissioners on the Subject of Prisons, Penitentiaries, Etc.” *Appendix to the Journal of the House of Assembly of Upper Canada of the Second Session of the Twelfth Provincial Parliament, Session 1836, Vol. 1, No. 71*, pp. 1-5 (**online—a link is provided on the course cuLearn page**. The link takes you to the first page in the excerpt; you will then have to use the arrow buttons at the top right of the image to click to the following pages.)
- Question: Which of the following did most to determine Upper Canadians’ views about Kingston Penitentiary when it was first built: 1) their desire to reform criminals, 2) their self-image, or 3) their desire to strengthen their own or their group’s economic interests?

Week F-4: October 6

Lecture: Putting the Law in Order: Trials, Lawyers, Juries, and the Criminal Code

Discussion: The Function of Police Forces

- Readings:
 - Andrew Parnaby and Gregory S. Kealey, with Kirk Niergarth, “‘High-handed, Impolite, and Empire-breaking Actions’: Radicalism, Anti-Imperialism, and Political Policing in Canada, 1860-1914,” in *Canadian State Trials, Volume III: Political Trials and Security Measures, 1840-1914*, ed. Barry Wright and Susan Binnie, 483-515 (Toronto: Published for the Osgoode Society for Canadian Legal History by University of Toronto Press, 2009) **(a link is provided on the course cuLearn page)**
 - Greg Marquis, “The Police as a Social Service in Early Twentieth-Century Toronto,” *Histoire sociale/Social History* 25, no. 50 (November 1992): 335-358 **(link on cuLearn page)**
- Question: In light of these readings and what you know from other sources, which of the following is the best description of the main reason why the Canadian state has created and maintained police forces?
 - 1) to prevent difficult individuals from harming or bothering law-abiding citizens
 - 2) to make the rabble behave themselves
 - 3) to ensure that no one would rebel against the government
 - 4) to ensure that the law would be respected
 - 5) to ensure that an increasingly complex society would “run smoothly”

Week F-5: October 13

Lecture: To Hang or Not to Hang: Executions, the Royal Prerogative of Mercy, and the Insanity Defence

Discussion: Public Executions in the Mid-Nineteenth Century

- Readings:
 - “The Wellington-Street and Georgina Murders,” *The Globe*, March 5, 1859 **(CP)**
 - “Execution of Dr. King at Cobourg,” *The Globe*, June 10, 1859 **(CP)**
 - “The Cant of Executions,” *Montreal Witness, Commercial Review and Family Newspaper*, July 2, 1859 **(CP)**
- Question: Based on these documents, how would you A) describe and B) explain the behaviour of 1) the spectators and 2) the convicts at public executions?

Week F-6: October 20

Lecture: The Rule of Law?: Establishing Dominion over Aboriginal Nations in the West

Discussion: The Dispute over Louis Riel’s Sanity

- Readings:
 - Louis Riel, “Address to the Jury,” in *The Collected Writings of Louis Riel, Volume 3: 5 June-16 November 1885*, ed. Thomas Flanagan, 523-539 (Edmonton: University of Alberta Press, 1985) **(link provided on the course cuLearn page)**
 - C.K. Clarke, “A Critical Study of the Case of Louis Riel” (part 1), *Queen’s Quarterly* 12, no. 4 (April, 1905): 379-388 **(CP)**
 - C.K. Clarke, “A Critical Study of the Case of Louis Riel” (part 2), *Queen’s Quarterly* 13, no. 1 (July, 1905): 14-26 **(CP)**
- Question: In these documents we encounter several different opinions about whether or not Louis Riel was insane—in effect, different people used different definitions of insanity. Identify two or three of these definitions; explain which one you find most believable, and why.

October 24-28: Fall Break – No Classes

Week F-7: November 3

Lecture: An Orderly Dominion?: Policing Vice and Public Disorder from the Rebellions to the Red Scare

Discussion: Press Reports on Petty Criminals

- Readings:
 - Paul Craven, “Law and Ideology: The Toronto Police Court 1850-80,” in *Essays in the History of Canadian Law, Volume II*, ed. David H. Flaherty, 248-307 (Toronto: Osgoode Society/University of Toronto Press, 1983) (**link provided on the course cuLearn page**)
 - George T. Denison, *Recollections of a Police Magistrate* (Toronto: Musson Book Company, 1920), 26-30, 178-193 (**CP**)
- Question: Restate Craven’s thesis, and explain why you do or do not find his argument convincing. Do you think that Denison’s reminiscences would serve as supporting evidence for Craven’s argument or as counter-evidence against it?

Week F-8: November 10***Research Essay and Critical Response Assignment due***

Lecture: Home Remedies: Prisons, Reformatories, and Juvenile Institutions in Victorian and Edwardian Canada

Discussion: The Andrew Mercer Reformatory for Women: Repressive or Humane?

- Readings:
 - Carolyn Strange, “‘The Criminal and Fallen of Their Sex’: The Establishment of Canada’s First Women’s Prison, 1874-1901,” *Canadian Journal of Women and the Law* 1, no. 1 (1985): 79-92 (**CP**)
 - Peter Oliver, “‘To Govern by Kindness’: The First Two Decades of the Mercer Reformatory for Women,” in *Essays in the History of Canadian Law, Volume V: Crime and Criminal Justice*, ed. Jim Phillips, Tina Loo, and Susan Lewthwaite, 516-571 (Toronto: The Osgoode Society for Canadian Legal History, 1994) (**CP**)
- Question: For each article, identify the author’s thesis and two of the important pieces of evidence that he or she uses to support that thesis. Explain which article you find most convincing, and why.

PART III: TWENTIETH-CENTURY DEPARTURES

Week F-9: November 17

Lecture: A Long, Loose Leash? Juvenile Justice, Probation, and Parole

Discussion: Parole and Mandatory Supervision

- Readings:
 - T. George Street, “Parole as a Social Control,” *Canadian Journal of Corrections* 7, no. 1 (January 1965): 5-7 (**CP**)
 - W.R. Outerbridge, “The Tyranny of Treatment ...?” *Canadian Journal of Corrections* 10, no. 2 (April 1968): 378-387 (**CP**)
 - Mac Haig, “Crippling the Long Arm of the Law,” *Maclean’s* 94, no. 49 (December 7, 1981): 10 (**CP**)
 - John Hay, with Malcolm Gray, “A Mandate for Supervision,” *Maclean’s* 95, no. 46 (November 15, 1982): 30 (**CP**)
 - Graham Stewart, “Mandatory Supervision: Politics and People,” *Canadian Journal of Criminology* 25, no. 1 (January 1983): 97-103 (**CP**)
 - Ruth Morris, “What to Do with Dangerous Offenders,” *Canadian Dimension*, 23, no. 2 (March 1989): 6-7 (**CP**)
- Question: Which of the following is the best way to describe Canadians’ attitudes toward prison and parole in the second half of the twentieth century? Provide evidence to support your answer.

- 1) They thought prison did not allow the state to control criminals thoroughly enough, and they wanted to find a new means of more thorough control.
- 2) They thought prison was pernicious, and wanted to find a more humane form of punishment.
- 3) They thought parole was too lenient, and wanted to use imprisonment more often.

Week F-10: November 24

Lecture: Perilous Punishments: The Abolition of the Death Penalty and the Creation of Dangerous-Offender Legislation

Discussion: The Waning of Bodily Punishment in the Mid-Twentieth Century

- Readings:
 - Carolyn Strange, “The Undercurrents of Penal Culture: Punishment of the Body in Mid-Twentieth-Century Canada,” *Law and History Review* 19, no. 2 (2001): 343-385 (**online—a link is provided on the course cuLearn page**)
 - Paul Axelrod, “No Longer a ‘Last Resort’: The End of Corporal Punishment in the Schools of Toronto,” *Canadian Historical Review* 91, no. 2 (June 2010): 261-285 (**online—a link is provided on the course cuLearn page**)
- Question: Summarize the argument of each author. Which article best helps us to understand the process by which Canadians turned away from using bodily punishments?

Week F-11: December 1

Lecture: Rehabilitative Corrections and Its Aftermath

Discussion: Televised Portrayals of Convicts and the Wrongfully Convicted

- Broadcasts to watch:
 - “Steven Truscott: His Word against History,” *The Fifth Estate*, CBC Television, aired March 29, 2000, <http://www.cbc.ca/fifth/episodes/40-years-of-the-fifth-estate/steven-truscott-his-word-against-history> (a link is provided on the course cuLearn page)
 - Bob McKeown, “My Friend the Bank Robber,” *The Fifth Estate*, CBC Television, directed by Oleh J. Rumak, aired March 25, 2011, <http://www.cbc.ca/fifth/2010-2011/myfriendthebankrobber/> (a link is provided on the course cuLearn page)
- Question: For each of these *Fifth Estate* episodes, write a one-sentence summary of the main point that you think the documentary is trying to make. Explain which of these two documentaries is most likely, in your opinion, to be convincing to Canadian viewers, and why.

Week F-12: December 8

Taking Stock: Crime and Punishment Today/Course Review

Research Essay

The major assignment for the term is an 8- to 10-page research essay, written on a topic of your choice. Any topic related to the history of criminal law or justice is potentially fair game: you could write about the nature of the jury, the life of a particular criminal, the history of gun control, the history of fingerprinting, the unfolding of a specific trial, or any number of other subjects. Think broadly and choose something in which you are genuinely interested. However, you must clear your proposed topic with the instructor before proceeding with the essay. Your subject does not necessarily have to relate to Canada; you may, for example, want to write about something from British history instead. Again, though, you must clear your topic with the instructor ahead of time. As a preliminary step, on **October 13** you will be required to submit a two- or three-sentence proposal, consisting of 1) a statement of your general topic, and 2) the specific question that your essay will try to answer.

Your essay should draw on eight or more scholarly sources. If the topic on which you wish to write seems obscure and you doubt that there will be eight relevant sources available, speak with me about it—do not automatically rule

out the topic if it interests you.

As in other university essays, it is essential that you make a clear argument, expressing your thesis crisply near the beginning of the essay and developing your argument in a logical manner throughout the body of the paper. Avoid making a trite argument: your thesis should be debatable in some respect, or should at least tell readers something that they do not already know.

The essay is due on **November 10**, and is worth **25 percent** of your final grade. It should be 8-10 pages long, double-spaced, with 12-point font and 1-inch margins (i.e. it should be 2,250-3,000 words in length). You must follow the usual scholarly requirements for citing your sources. I would prefer that you use footnotes or endnotes, formatted in accordance with the Canadian Guide to Uniform Legal Citation or the Chicago Manual of Style; however, if most courses in your major use a different citation system (e.g. APA), then you may use that instead. Whether you use footnotes or in-text citations, you must provide a bibliography. Make sure to include your name, your student number, the course number/section letter, and the date of submission on the title page. You must submit a hard copy; you may either:

- drop it off to the instructor in person at the **beginning** of class on November 10;
- submit it on November 10 in the drop box outside the main office of the Department of Law and Legal Studies; or
- mail a hard copy to the Department of Law and Legal Studies (it must have the date stamped on the envelope by the post office, in order for the Department to stamp the same date when it is received)

The following descriptions provide a general sense of the criteria that will be used to grade the essay:

- **A** — An “A” essay has a clear, interesting, and debatable thesis, smoothly stated at some point near the beginning of the paper. The discussion throughout the essay remains focused on proving the thesis, offering a large amount of relevant, specific evidence drawn from an ample number of scholarly sources. The student provides insightful analysis, the argument unfolds logically, and all the writing flows smoothly, with no (or very few) errors in spelling, grammar, or expression. Readers can understand the argument and each supporting point easily on their first pass through the essay.
- **B** — A “B” essay has a clear thesis statement that sums up the argument actually provided in the body of the essay. The essay is generally well organized but might require a small amount of restructuring. The paper provides a satisfactory amount of specific evidence and cites an adequate number of sources, but there may be some room for improvement in either the research or the analysis. Although the writing is competent, it may contain some awkward wording or a limited number of misspellings and grammatical errors.
- **C** — A “C” essay attempts to make an argument, but the thesis statement provided near the beginning might be unclear, or might not fully match what the body of the essay actually argues. There may be significant problems in the organization of the paper. Although the essay provides some specific evidence to support the thesis, the research may be too limited, and the connection between the evidence and the thesis may not always be apparent. There might be a significant amount of awkward wording or a large number of grammatical and spelling errors.
- **D** — A “D” essay does not satisfactorily fulfill the aims of the assignment. There are severe shortcomings in the argument, the evidence, the research, or the writing, or the essay in some other way fails to measure up to normal expectations.

Critical Response Assignment

On **November 10**, the same day that you submit your research essay, you will also be required to hand in a 2- or 3-page response to your own paper. For this second part of the assignment, you will imagine that you are an individual involved in the historical practice, event, or phenomenon that the essay has analyzed, and you will write what you think that person might have said if he or she were to have read the essay. The response will provide that individual's assessment of your analysis. Would she agree with the essay? Would he feel that it left out the most important part of the story? Would she try to clear up something that she perceived as a misunderstanding? Would he find part of the essay incomprehensible? Would she be annoyed? Amused? Indifferent? Would he be grateful that finally, after all these years, someone has taken his side? Would she cite another event in her life to

explain why she acted as she did? These are some of the questions you could potentially consider, although you have wide leeway to take this in whatever direction you think best.

For instance, suppose your essay was about a murder case in which the accused was found guilty and sentenced to death, but in which Prime Minister Wilfrid Laurier used the royal prerogative of mercy to cancel the death sentence and send the offender to prison instead. You might choose to write your response from the perspective of Laurier, explaining what he thinks about the essay. Or you might instead assume the vantage point of one of the other people involved in the story—the offender, the judge, the newspaper reporter, the offender's daughter, or some other relevant individual.

If you discuss one or more specific people in the course of your essay, then you should probably write your response from the perspective of one of these historical individuals. However, depending on your topic, it is possible that the essay may not discuss any specific person from the most relevant group. For example, if you write about the prosecution of vagrants in the nineteenth century, you might not know any of these vagrants' names. In that case, you may invent a name/persona and write as if you were one of these homeless people. At the top of the response, you should include a title that identifies the person in whose name it is written (e.g. "Response by Wilfrid Laurier, Prime Minister," or "Response by Isaac Galway, Canal Labourer," or "Response by Mary Haggerty, of the Kingston Ladies' Benevolent Society"). If that individual is not mentioned in your essay, use a footnote in the response to indicate whether he or she is a real or fictitious person.

The purpose of this exercise is to:

1. practice thinking critically about your own perspective
2. imagine, with the aid of the historical knowledge that you are gaining, how the world might have looked to someone living at a different point in time
3. exercise creativity.

Point number 2 above is the most challenging bit. In writing the response, you will need to be mindful of the customs and assumptions that were prevalent in that particular historical period (the late nineteenth or early twentieth century, in this case). You will have learned about some of those customs and ideas through the secondary sources that you use for your essay, as well as through the class lectures and discussions. Your job is to write a response which conveys what that kind of person living in that period of history might have thought.

Use normal citation practices to indicate the source of your ideas and to demonstrate that you know what you are talking about. If you have a reference from a primary or secondary source that would support (or help to explain) a statement you make in your response, then you should cite that source in a footnote. For instance, suppose your response was written from the perspective of Wilfrid Laurier and included the following statement: "There was nothing out of the ordinary about my decision to commute MacTavish's sentence. After all, we seem to have been recommending clemency to His Excellency the Governor General in nearly every third case." If you made this statement because one of the articles you read said that the royal prerogative of mercy was exercised in 37 percent of capital cases in the first decade of the twentieth century, then you should provide a footnote citing this article. Also, if you do not think that the instructor will understand how a particular statement in the response reflects the mind-set typical of historical period in question, then you may explain your reasoning in a footnote, if you wish.

Depending on your topic, however, the research for the essay may not have provided much specific evidence about how people of that time would have thought or felt about the issue under discussion. In that case, you will simply need to make your own best guess as you write the response, and you may not have any supporting references to cite. That is alright; the response is necessarily an imaginative and at least partially speculative exercise, and it is meant to give you a chance to think and write creatively.

Your response will be graded on the basis of the following criteria:

- 1) Have you demonstrated that you understand (or have you made a clear attempt to understand) how someone living during the historical period in question would likely have thought about the topic discussed in the essay?
- 2) Have you shown creativity?

The response is worth **5 percent** of your final grade.