Department of Law and Legal Studies

Course Outline

COURSE: LAWS/HIST 3305 A – Crime and State in History

TERM: Winter 2026

PREREQUISITES: For registrants in LAWS 3305A:

1.0 credit in LAWS at the 2000 level, or 0.5 credit in LAWS at the 2000 level and 0.5 credit in HIST at the 2000 level

For registrants in HIST 3305A:

A 2000-level history course or third-year standing and 1.0

credit in history

CLASS: Day & Time: Monday, 6:05pm-8:55pm

Room: Please check Carleton Central for current Class Schedule. This

course is taught in person in a regular classroom on campus.

INSTRUCTOR: Joel Kropf

CONTACT: Office Hrs: Monday, 10:45am-11:45am on Zoom, or by appointment

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BRIGHTSPACE: https://brightspace.carleton.ca/d2l/home/373312

CALENDAR COURSE DESCRIPTION

The history of the relationship between the criminal law system and society. Changing issues in the criminal law and the nature of institutional responses, covering medieval to early nineteenth-century England and nineteenth to early twentieth-century Canada.

COURSE DESCRIPTION

This course will explore the changing nature of criminal justice over the past four centuries within the geographical area we now know as Canada. Many of the criminal laws, judicial structures, and penal practices in the societies established by France and Great Britain in northern North America stemmed from or reflected developments in the Old World, and we will therefore take note of a few 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.

LEARNING OUTCOMES

By the end of the semester, you will be able:

- 1. To discuss the nature and possible causes of broad changes that took place in criminal justice over the past four centuries, especially changes that produced the key components of our current criminal justice system, such as police forces, adversarial trials, prisons, and parole.
- 2. To use specific historical evidence from documents, articles, or lectures to make broader interpretive arguments. This can involve:
 - a) articulating a central question which you are trying to answer through your research, and which you will realistically be able to answer within the time you have available;
 - b) articulating a thesis that sums up the overarching point you want to make with the evidence you've found;
 - c) synthesizing evidence from several diverse sources to support your argument, as you either:
 - o narrate what happened in the past, or
 - explain why it happened.
- 3. To evaluate articles, books, or lectures by historians, by:
 - a) identifying the central argument being made, and
 - b) deciding whether the evidence being offered (or the evidence you've found in a separate source) provides convincing support for that argument.
- 4. To show that you are learning to "get inside the head" of people from the past, by using bits and pieces of available evidence to:
 - a) imagine and express what people in the past thought or felt about the world.
 - b) discern the logic of practices with which we are unfamiliar today.

REQUIRED TEXTS

There is no required textbook or coursepack for this class. The required weekly readings will be accessed through links provided on the course Brightspace page. For a list of the readings assigned each week, see the provisional schedule on pages 4-10 of this course outline.

Costs of Educational Material

Students are not required to purchase textbooks or other learning materials for this course.

EVALUATION

(All required components, including the final exam, must be completed in order to get a passing grade.)

Standing in a course is determined by the course instructor subject to the approval 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 Dean.

Participation: 10% Reading responses: 25% Essay proposal: 5% Term essay: 25% Final Exam: 35%

1. Participation (10%):

On most days, roughly an hour of our class will be devoted to discussion of the assigned readings, as outlined on the provisional schedule. Your participation mark will be based partly on your attendance of these discussions, and partly on the quality of your participation in the discussion.

2. Reading responses (25%):

Each week, students will submit a 300- to 500-word written response to the readings assigned for that week. Your response must answer the question listed for that day in the provisional schedule on the following pages of this course outline. For this assignment, you should not do outside research; you should simply develop your answer based on what you see in the readings themselves, providing specific examples from those readings to support what you are saying. You must submit the response electronically on the course Brightspace page by 6:00 pm on Monday.

There are eleven discussions planned for the semester; you are required to submit a reading response for **five** of these. However, the response for week 8, due on March 2, will be twice as long (600-1,000 words) as a normal response, and will count as two of the required five responses. If you choose to complete more than five responses in all, I will use your best five marks to calculate your grade. Please note that you **must** submit at least five in order to pass this course.

3. Essay proposal (5%):

As a significant preliminary component of your term essay project, you will submit an essay proposal, identifying the topic on which you want to write your paper and listing the key sources you think you might use. The proposal will be due on Brightspace at 11:00 pm on Monday, February 2. For detailed instructions regarding the proposal, see "Step 3" on page 13 in this course outline.

4. Term essay (25%):

The major assignment for the term is an 8- to 10-page essay, in which you will comparatively evaluate two secondary sources based partly on evidence you draw from one or more primary sources. The essay will be due on Brightspace at 11:00 pm on Monday, March 9. For detailed instructions on this assignment, see pages 11-18 of this course outline.

5. Final exam (35%):

The final exam for this course will be an on-campus, sit-down examination which the university will schedule at some point in its regular exam period (April 11-23, 2026). It will probably occur outside of

regular class time (and could be on a Friday evening, Saturday or Sunday). This two-hour closed-book exam will include both paragraph answers 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 bonus assignment:

If you like, you may complete an optional written reflection for bonus marks. In this assignment, you will identify something taught in this course which seems to be at odds with what you have learned in another university or college course, either this spring or in a previous semester. You may choose any type of contrast between the two courses. Perhaps they created contrasting portrayals of what the past was like, or about how the criminal justice system works, or about how human behaviour should be understood, or even about the way academic assignments should be carried out.

Write a 300- to 500-word reflection on the discrepancy between the viewpoints conveyed by the two courses on the issue in question. Describe the difference between what was taught (or assumed) in the two classes, and explain why you think they offered conflicting ideas. Indicate which course provided the more accurate or useful perspective, in your estimation, and explain why you come to that conclusion.

The last possible date to submit this assignment will be **Wednesday, April 8**. If you choose to complete it, you will receive a bonus mark (up to a maximum of 2% of the final course grade, depending on the quality of the reflection). Note that you will not get a stronger grade for endorsing what this course has taught, nor will you get a weaker mark for criticizing it. You will have the best chance of getting a good mark if you express your opinion frankly, while demonstrating that you understand what was taught and have thought about it carefully.

Required Assignments:

Please note that students <u>must</u> submit <u>all</u> required assignments (the **essay proposal**, the **term essay**, <u>five</u> weekly reading responses, and the **final exam**) in order to pass this course.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late essays will be liable to a penalty of 2% per day, up to a maximum of 15% of the essay grade.

The granting of extensions is at the discretion of the instructor, who will confirm whether an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page. If you wish to ask for an extension, you should email the instructor (or speak to him at class and send a follow-up email) prior to the assignment due date. All requests for exam deferrals must be submitted directly to the Registrar's Office. Full details and instructions can be found here: https://carleton.ca/registrar/academic-consideration-policy/.

PROVISIONAL 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 1: January 5

Introduction

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

Week 2: January 12

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

Discussion: Attitudes toward violence and pain

- Readings:
 - Excerpts from the Jesuit Relations, from Canadiana website (links provided on the course Brightspace page). For each selection, the Brightspace link takes you to the first page in the excerpt; you will then have to use the arrow buttons at the top left 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), https://www.canadiana.ca/view/oocihm.07539/231
 - Volume 13, pp. 37-83 (Father François Joseph Le Mercier, 1637), https://www.canadiana.ca/view/oocihm.07547/47
 - Volume 47, pp. 303-305 (Father Jerome Lalemant, 1663), https://www.canadiana.ca/view/oocihm.07581/307
 - Volume 51, pp. 205-209 (Father François Le Mercier, 1667-1668), https://www.canadiana.ca/view/oocihm.07585/209
 - 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 (link on course Brightspace page)
- 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 3: January 19

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

Discussion: Criminal justice in eighteenth-century England

- Readings (links provided on course Brightspace page):
 - 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
 - John H. Langbein, "Albion's Fatal Flaws," Past and Present, no. 98 (February 1983): 96-120

 Question: Which one of these two essays is more convincing? In your answer, provide a one- to three-sentence summary of the thesis of each essay (in your own words), and explain which one gets closest to the truth, in your estimation.

Week 4: January 26

Lecture: Simon Says "Build a Prison": The Transition to Incarceration

Discussion: The creation of Kingston Penitentiary

- Readings (links provided on course Brightspace page):
 - "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, Canadiana website,
 https://www.canadiana.ca/view/oocihm.9_00942_7/210 (the link on the Brightspace
 page takes you to the first page in the document; you will then have to use the arrow
 buttons at the top left of the image to click to the following page)
 - o "The Penitentiary," Kingston Chronicle & Gazette, December 14, 1833
 - o A Tradesman, letter to the editor, Kingston Chronicle & Gazette, December 21, 1833
 - "For the Chronicle and Gazette" (proceedings of a public meeting), Kingston Chronicle & Gazette, February 14, 1835
 - o A Plain Man, letter to the editor, Kingston Chronicle & Gazette, June 18, 1836
 - o Scraper, letter to the editor, Kingston Chronicle & Gazette, June 29, 1836
 - 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, Canadiana website, https://www.canadiana.ca/view/oocihm.9_00942_12/779 (the link on the Brightspace page takes you to the first page in the excerpt; you will then have to use the arrow buttons at the top left of the image to click to the following pages)
- Question: Which one of the following options best describes why Kingston Penitentiary was created?
 - o 1) because Canada needed prisons to make its justice system work better
 - 2) because the authorities wanted to reform criminals
 - o 3) because Canadian leaders wanted to make money.

Week 5: February 2

11:00 pm, Monday, February 2: Essay proposal due

Lecture: From Local to Legal: Trials, Lawyers, and Juries

Discussion: Public executions in the mid-nineteenth century

- Readings (PDF provided on course Brightspace page):
 - "Execution of Thomas Corner at Milton," The Globe, December 2, 1858
 - o "The Wellington-Street and Georgina Murders," The Globe, March 5, 1859
 - "Execution of Dr. King at Cobourg," The Globe, June 10, 1859
 - "The Cant of Executions," Montreal Witness, Commercial Review and Family Newspaper, July 2, 1859
- 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 6: February 9

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

Discussion: The dispute over Louis Riel's sanity

- Readings (links provided on course Brightspace page):
 - 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)
 - C.K. Clarke, "A Critical Study of the Case of Louis Riel" (part 1), Queen's Quarterly 12, no.
 4 (April, 1905): 379-388
 - C.K. Clarke, "A Critical Study of the Case of Louis Riel" (part 2), Queen's Quarterly 13, no.
 1 (July, 1905): 14-26
- Question: In these documents we encounter several different opinions about whether or not Louis Riel was insane, partly because different people used different definitions of insanity. Articulate two or three of the definitions that people appear to have had in mind; point out statements or clues in the documents that make you think they would have defined the concept of insanity the way you've articulated it. Explain which one of those definitions you find most believable, and why.

February 16-20: Winter Break – No Classes

Week 7: February 23

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

Discussion: The function of police forces

- Readings (links provided on course Brightspace page):
 - "Trouble among the Laborers," Daily Morning News [Saint John, New Brunswick], June 14, 1870, p. 2
 - o "The Police Department," The Globe, May 18, 1886, p. 2
 - C.S. Clark, Of Toronto the Good. A Social Study. The Queen City of Canada as It Is (Montreal: Toronto Publishing Company, 1898), pp. 24-26, CIHM no. 00659, Canadiana website, https://www.canadiana.ca/view/oocihm.00659/35
 - John Wilson Murray [with Victor Speer], Memoirs of a Great Detective: Incidents in the Life of John Wilson Murray (London: William Heinemann, 1904), pp. 60-69
 - "City's Wife Deserters Paid Police \$13,000 in Alimony," Toronto Star Weekly, May 30, 1914, p. 9
 - S.B. Steele, Forty Years in Canada: Reminiscences of the Great North-West with Some Account of His Service in South Africa by Colonel S.B. Steele, C.B., M.V.O., Late of the N.W.M. Police and the S. African Constabulary, ed. Mollie Glen Niblett (Toronto: McClelland, Goodchild & Stewart Limited, 1915), pp. 238-261
 - RCMP Intelligence Bulletin No. 5, "Notes on the Work of the C.I.B. Division for the Two Weeks Ending 31st December, 1919," in R.C.M.P. Security Bulletins: The Early Years, 1919-1929, ed. by Gregory S. Kealey and Reg Whitaker (St. John's: Canadian Committee on Labour History, 1994), pp. 23-24

• Question: In light of these readings, which one of the following is the best description of the main reason why the Canadian state has created and maintained police forces?

- 1) to prevent underprivileged people or difficult individuals from bothering affluent citizens
- o 2) to protect vulnerable people from harm
- o 3) to make the rabble behave themselves
- 4) to ensure that no one would rebel against the government.

Week 8: March 2

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

Discussion: The experiences of offenders and prison staffers

- Readings (links provided on course Brightspace page):
 - o Jack Black, *You Can't Win*, 2nd ed., intro. William S. Burroughs (Edinburgh and San Francisco: AK Press/Nabat, 2000; originally published 1926), 177-190
 - Velma Demerson, *Incorrigible* (Waterloo, ON: Wilfrid Laurier University Press, 2004), 51-61
 - Harvey Blackstock, Bitter Humour: About Dope, Safe Cracking and Prisons (Toronto: Burns & MacEachern Limited, 1967), 233-256
 - J. Michael Yates, Line Screw: My Twelve Riotous Years Working Behind Bars in Some of Canada's Toughest Jails (Toronto: McClelland & Stewart, 1993), 25-45
 - Rose Ricciardelli, Surviving Incarceration: Inside Canadian Prisons (Waterloo, ON: Wilfrid Laurier University Press, 2013), 21-26
 - OPTIONAL recommended reading: Ted McCoy, "Bridget's Life Sentence," in Four Unruly Women: Stories of Incarceration and Resistance from Canada's Most Notorious Prison (Vancouver: UBC Press, 2019), 16-41
- Question: In your estimation, which one of the above readings sheds the most light on the
 history of crime or criminal justice? In explaining why you consider that reading most revealing,
 you should compare or contrast it with the other readings. (Note: today's written response
 should be twice as long [600-1,000 words] as usual. It will count as two of your required five
 responses for the course.)

PART III: TWENTIETH-CENTURY DEPARTURES

Week 9: March 9

11:00 pm, Monday, March 9: Term essay due

Lecture: Drunk with Money: Vice, Organized Crime, and the International Border

Discussion: Attitudes toward gambling

- Readings (links provided on course Brightspace page):
 - o "The Surroundings of the Exhibition," Montreal Daily Witness, September 15, 1880, p. 3
 - o Commentary on gambling in *The Manitoban*, June 1892, pp. 215-216, Canadiana website, https://www.canadiana.ca/view/oocihm.8_06661_7/4
 - "Benevolent Games of Chance," Saturday Night, November 26, 1927, p. 26
 - Speech by J.S. Woodsworth, House of Commons Debates, 17th Parl., 5th Sess., Vol. 3 (22)

- May 1934), pp. 3297-3299
- Ted Farah, "Bingo Sweeps from Halifax to Vancouver," Vancouver Sun, February 12, 1937, pp. 1, 3
- Jacques G. Francoeur, "'Pineapple' Variety Bomb Tossing May Set Off Gang War, Police Say," Montreal Gazette, July 20, 1946, p. 11

• Question: Describe Canadians' attitudes toward gambling during the half-century from which this week's readings are drawn.

Week 10: March 16

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

Discussion: Parole and mandatory supervision

- Readings (links provided on course Brightspace page):
 - T. George Street, "Parole as a Social Control," Canadian Journal of Corrections 7, no. 1
 (January 1965): 5-7
 - W.R. Outerbridge, "The Tyranny of Treatment ...?" Canadian Journal of Corrections 10, no. 2 (April 1968): 378-387
 - Mac Haig, "Crippling the Long Arm of the Law," Maclean's 94, no. 49 (December 7, 1981): 10
 - John Hay, with Malcolm Gray, "A Mandate for Supervision," Maclean's 95, no. 46 (November 15, 1982): 30
 - o Graham Stewart, "Mandatory Supervision: Politics and People," *Canadian Journal of Criminology* 25, no. 1 (January 1983): 97-103
 - Ruth Morris, "What to Do with Dangerous Offenders," Canadian Dimension 23, no. 2 (March 1989): 6-7
- Question: Which one of the following options 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.
 - o 3) They thought parole was too lenient, and wanted to use imprisonment more often.

Week 11: March 23

Lecture: Violence, Death, and Bureaucracy: 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 (links provided on course Brightspace page):
 - 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
 - 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
- Question: Summarize the thesis of each author in two or three sentences. Which article best helps us to understand the process by which Canadians turned away from using bodily

punishments?

Week 12: March 30

Lecture: The Era of Rehabilitative Corrections and Its Aftermath

Discussion: Televised portrayals of convicts and the wrongfully convicted

- Broadcasts to watch (links provided on course Brightspace page):
 - "Steven Truscott: His Word against History," The Fifth Estate, CBC Television, aired March 29, 2000, https://www.cbc.ca/player/play/2647922641
 - Bob McKeown, "My Friend the Bank Robber," The Fifth Estate, CBC Television, directed by Oleh J. Rumak, aired March 25, 2011, https://gem.cbc.ca/media/the-fifthestate/s36e22
- Question: If you showed these two Fifth Estate episodes to a group of Canadians today, which
 one do you think would be more likely to alter viewers' existing assumptions about crime or
 criminal justice? In the course of explaining your answer, you should provide a one-sentence
 summary of the main point that you think each documentary was trying to make.

Week 13: April 6

Lecture: The Era of Rehabilitative Corrections and Its Aftermath [continued from week 12]

April 8 - Last Day of Winter Term Classes

Formally scheduled exam period – April 11-23, 2026

POLICY ON IMPERMISSIBILITY OF SUBMITTING SAME WORK MORE THAN ONCE, IMPERMISSIBILITY OF COLLABORATIVE WORK, AND IMPERMISSIBILITY OF USING GENERATIVE AI

Please note that:

- Your reading responses and term essay must be documents written for this course. You may **not** hand in assignments that you have already submitted for another course, nor may you copyand-paste passages of text from papers you have completed for another class.
- You must write your reading responses and term essay yourself; you may **not** ask classmates, family members, or anyone else to write or rewrite them for you.
- In this course, you may **not** use generative AI tools (such as ChatGPT) to write your assignments, nor to write part of an assignment, nor to come up with ideas for an assignment. The point of the assignments is to strengthen your ability to write and think. You gain this strength through the difficult (but ultimately enjoyable) exercise of thinking through the issues with your own brain and drafting your own text, sentence by sentence. Outsourcing your thinking to AI will defeat the purpose of the course and leave you poorly equipped for either future studies or the workforce.

TERM ESSAY PROJECT

Your major project this semester will be an 8- to 10-page essay that involves research but differs somewhat from a standard research paper. Your essay will compare two different writers' interpretations of a particular historical topic, explaining which one of the two interpretations is most convincing, based especially on the evidence you see in **one** of the nine sets of primary sources I have listed as options for this assignment.

The two interpretations that you will compare will come from what we call secondary sources. (In this case, a secondary source is a text in which a scholar or writer narrates or analyzes a historical event sometime after the period in which the event happened. Most books or articles about historical topics are therefore secondary sources.) For this assignment, you will have to find your two secondary sources through research of your own.

The primary source options, by contrast, have been chosen for you. (A "primary source" is a document created at the time of the historical events we're exploring, which we use as raw evidence to figure out what was happening or what the situation was.) The nine potential sets of primary sources are provisionally listed on pages 15-18 of this course outline; however, the instructor reserves the right to make limited adjustments to this list in the first few weeks of the semester. You will be able to access these sources through links found on the course Brightspace page, in the "Primary sources for term project" submodule.

Here are the four main steps in the term project:

<u>Step 1</u>: Choose one of the nine sets of primary sources, look through the source(s) in that set, and come up with a topic about which you want to write your paper. You may select any topic that interests you, as long as it relates in some way to the history of crime or criminal justice, and as long as your primary sources provide some type of information useful for exploring that subject.

- You will have to clear your topic with the instructor; see step 3 below.
- However, my intention is to let you write on any subject you find intriguing, as long as it seems
 like it will be doable and will fulfill the general purpose of the assignment. Accordingly, you have
 wide freedom to be creative in coming up with a topic.
 - I have given each set of primary sources a label that reflects the broad topic of those sources. You could potentially use a broad subject like this as your essay topic (e.g., What were prisons like in the era before the First World War?, or What role did city police courts play in nineteenth-century Canadian criminal justice?).
 - You also have the option of picking a much narrower or less obvious topic, perhaps something about which you find information in only a small part of the primary source(s). Here are some miscellaneous examples:
 - What kind of medical care did prison inmates receive?
 - How was criminal justice involved in employment law in the nineteenth century?
 - How were children/young people treated in nineteenth-century adult courts? These are just a few examples; there are many other topics you could examine with these sources. I encourage you to be creative and pick something that sparks your curiosity.

• You will not necessarily have to use all of the documents in the set of primary documents you choose. Some of the sets contain several documents, and some contain one or more very long documents that deal with a wide variety of issues. It is possible that only one document in the set, or only a few brief passages within one long document, will be relevant to your paper.

- If you are interested in a particular topic, but you aren't sure whether the brief evidence you see in the primary sources will be enough to write this paper, don't automatically assume that you need to pick a different subject. Instead, talk to me about your idea, in case I have any suggestions about how to make the topic workable. Similarly, if you are interested in a particular subject but aren't sure you will be able to find two relevant secondary sources, don't automatically rule it out. Instead, speak with me about it.
- If you don't like any of the sets of primary sources I've provided, you have the option of finding a different primary source or sources that would work better for the topic you want to explore. If you do this, however, you will have to clear your proposed sources with me, and I reserve the right to veto your choice if I don't think the sources you've picked will lend themselves well to this assignment. If you are considering looking for other primary sources but aren't sure how to go about it, feel free to ask me for ideas—a very wide range of primary sources are readily available today, and I might have ideas to suggest, if you have a topic in mind.

Step 2: Do research to find two secondary sources which discuss your topic but differ in the way they portray the history in question.

- At least one (and likely both) of the secondary sources should be a scholarly article, essay, or book. However, one of your sources could potentially be a non-scholarly book, article, website, or podcast, especially if you think it has a sizeable audience or significant influence.
- There are multiple ways in which two secondary sources could differ from each other, depending on your topic. You might possibly find two sources which directly try to rebut one another. It is more likely, however, that you will have to identify and articulate how the two sources stand in contrast to one another, even if they don't themselves say that they differ.
 - o In some cases, the theses of two sources might run contrary to one another.
 - Or perhaps the sources might simply create two different impressions about the same issue or period of time or aspect of criminal justice, even if their actual arguments don't discuss precisely the same issue.
 - o Perhaps the two authors might differ in their theoretical assumptions.
 - Perhaps they may discuss the same event or issue, but focus on very different aspects of the story.
 - They may use very different types of evidence, and perhaps one type might lend itself to the topic much better than the other type does.
 - The two authors might discuss the same topic, but simply have opposite opinions about which participants in the events were the good guys and the bad guys, as it were.
 - You may see some other type of interesting difference between the way two sources interpret or depict the past.
- In general, it is probably best for your essay to focus on the time period from which your

primary sources come—in other words, you will likely want to choose secondary sources that discuss more or less the same era as your primary sources do. However, that is not a hard-and-fast rule; your secondary sources do not necessarily have to examine exactly the same period of time as your primary documents, as long as you think the evidence from the primary sources will help you to evaluate your two secondary sources in a meaningful way.

• The primary sources are from Canada, so it is most likely that your topic will focus on Canada too. However, you are free to choose secondary sources about another country instead if you can see a way to use the primary sources in your argument about which secondary source does the best job.

Step 3: Submit a topic proposal. It will be due on Brightspace at 11:00 p.m. on Monday, February 2.

- The proposal will contain three brief components:
 - o 1) In one sentence or phrase, indicate your topic.
 - 2) Indicate which one of the sets of primary sources you've chosen. List one or more of the documents that you're planning to use from that set, and list the page numbers (or some of the page numbers) where you see information that you think will be useful for writing about your topic.
 - 3) List the two secondary sources that you hope to use. In three or four sentences, explain why you think they would make an interesting pair of sources to evaluate comparatively in your essay. If you can, point out one difference between the two sources, which you think you may possibly discuss in your paper.
- Your topic proposal is worth 5 percent of your final course grade. You will be graded primarily
 on the basis of whether you appear to have made a serious effort to think about your topic and
 identify useful sources.
- After you've submitted your proposal, you do not need to treat your proposed sources as set in stone. If I think that one or more of your sources won't lend itself well to this assignment, I may ask you to find another one. Or you may decide on your own that you'd prefer to use one or more other secondary sources instead of the ones in your proposal. The proposal is simply meant to ensure that you will think seriously about the topic and about where to find sources well before the paper is due, and that you will be able to make adjustments if necessary after receiving a bit of feedback.
- After submitting the proposal, you are also free to change the focus on your topic to some degree. However, if you change the topic in a major way, you must check with me first, at least one week before submitting your essay.

<u>Step 4</u>: Write your essay. In the essay, you will briefly describe how each of the two secondary sources interprets the history in question (i.e., you will briefly discuss what main point they make or what general impression they convey about the historical event, situation, or issue you're exploring). As you do so, you will point out one or more key differences between the historical portrayals provided by the two authors. The main task of your essay is to explain which one of two authors' interpretations is most convincing. In explaining which one is best, you should make significant use of evidence you see in one or more of the primary sources from the set you have chosen.

Your paper should follow the basic structure of an ordinary essay: you should state your thesis
somewhere in the introductory section, and the rest of the essay should aim to show readers
why your thesis is believable. (In this paper, your actual thesis statement should indicate, in two
or three sentences, which one of your two secondary sources is most convincing, and why.) Your
essay should end with at least one concluding paragraph.

- Within that basic structure, there are a variety of ways you could organize the body of the paper. You may arrange the discussion in whatever order you think will make your argument most persuasive.
- In explaining which one of the authors provides the best interpretation of the historical issue, you may analyze the arguments and evidence found in the two secondary sources themselves. However, a significant portion of your analysis should draw upon evidence from the set of primary sources, to help you evaluate which one of the secondary sources portrays the past in the most believable way. You should point out specific details in the primary source(s) which lead you to think that one of the secondary sources is more accurate or plausible than the other.
- If you wish, you may use additional sources to help you understand the context of the
 events/issues you're discussing, or to understand particular details. Even if you use additional
 secondary (or primary) sources, your paper must carry out the principal task of evaluating your
 two main secondary sources, making at least some use of evidence from your set of primary
 documents.

This assignment is intended to strengthen the skills identified in Learning Outcomes 2 and 3 (see page 2 in this course outline). As you complete the project, you will need to understand the argument that each of your secondary sources is making, evaluate whether the source provides an accurate impression about the past, identify what the information in your primary source(s) reveals about the topic, and use your insights to articulate a thesis which you support with evidence and explanation in a well-organized essay.

The work for this assignment is somewhat front-loaded, requiring a substantial amount of effort toward the beginning of the semester. Coming up with a topic may require quite a lot of time, as you first look through the primary sources to find an issue that interests you, and as you then carry our research to find two good secondary sources. In completing the latter step, you will likely have to look at quite a number of secondary sources, rather than merely picking the first two items you discover. While the topic proposal itself is not a long document, you should start working on it at least a week before it is due. The proposal involves a significant part of the work entailed by this project, and doing the proposal well will make the rest of the assignment less time-consuming.

The essay is due on Brightspace at 11:00 pm on **Monday, March 9**, 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, not including the bibliography). 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 or MLA), then you may use that system instead. Please note, though, that your citations must include the page number(s) in the source from which you are drawing the information (even if the citation style [e.g. APA] does not normally require that). 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.

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

- A An "A" essay has a clear, interesting, and debatable thesis, smoothly stated at some point near the beginning of the paper. The essay as a whole is logical and well organized, allowing readers to follow the train of thought easily as the student shows why the thesis is true. The paper uses two suitable secondary sources, demonstrates an excellent understanding of those sources, points out one or more interesting differences between the two interpretations they offer, and offers insightful reasons for concluding that one of the sources is more convincing than the other one. The essay makes creative, intelligent use of the primary source(s), pointing out specific examples or evidence from the document(s) to explain which secondary source portrays the historical situation most believably. All the writing flows smoothly, with no (or very few) errors in spelling, grammar, or expression.
- **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 makes some good observations about both the secondary and primary sources, but the student may partially misunderstand some aspect of what the sources are saying. The contrast that the essay draws between the two secondary sources may not be quite as clear or interesting as would be preferable, or there may be room for improvement in some other aspect of the research or 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 discusses two secondary sources and one or more primary sources as required, some of the analysis or evidence may be unclear, inaccurate, or too limited. There might be a significant amount of awkward wording or a large number of grammatical and spelling errors. Alternatively, the essay may avoid grammatical problems but be written in a style that sounds like AI content, even though AI was not actually used.
- **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.

Primary source options for term project

Set 1: French and Indigenous Criminal Justice in the Seventeenth Century

de Champlain, Samuel. *Voyages of Samuel de Champlain, vol. III: 1611-1618*. Translated by Charles Pomeroy Otis. Edited by Edmund F. Slafter. Boston: The Prince Society, 1882. Pages 191-208. Canadiana website. https://www.canadiana.ca/view/oocihm.26913/217

Bressani, Francesco Gioseppe. "Government of the Canadian Barbarians." In *Jesuit Relations and Allied Documents*, vol. 38. Edited by Reuben Gold Thwaites. Cleveland: Burrows, 1899. Pages 265-287. Canadiana website. https://www.canadiana.ca/view/oocihm.07572/271

Set 2: Treason Trials and Executions

The Trial of David M'Lane for High Treason, Before a Special Court of Oyer and Terminer at Quebec, on the 7th July 1797. Quebec: J. Neilson, 1797. Canadiana website. https://n2t.net/ark:/69429/m0ht2g73c167

Or, if you prefer a longer publication, with a greater number of verbatim speeches: The Trial of David McLane for High Treason, at the City of Quebec, in the Province of Lower-Canada, on Friday, the Seventh Day of July, A.D., 1797. Quebec: W. Vondenvelden, 1797. Canadiana website. https://n2t.net/ark:/69429/m0hq3rv0hg2d

Set 3: Rural Organized Crime and Its Prosecution in Court

An Interesting Account of the Organization and Mode of Operations of the Celebrated Horde of Robbers Known as the Markham Gang: with the Trials of the Most Noted of the Criminals, and a List of Convictions and Sentences. [Toronto: 1846?]. Canadiana website. https://n2t.net/ark:/69429/m0dv1cj8ck92

Set 4: Murder Trials and Executions

Fairbanks, C.R., and A.W. Cochran, comp. Report of the Trial of Edward Jordan, and Margaret Jordan His Wife, for Piracy & Murder, at Halifax on the 15th Day of November, 1809, Together with Edward Jordan's Dying Confession: to Which Is Added the Trial of John Kelly, for Piracy and Murder, on the 8th Day of December, 1809. Halifax: James Bagnall, 1810. Canadiana website. https://n2t.net/ark:/69429/m0zp3vt1hs2b

Longley, J.W., comp. The Trial of Peter Mailman for the Murder of His Wife at Lunenburg, N.S.:

Together with the Circumstances of the Murder, Incidents of the Trial, the Prisoner's Confession,
His Execution, Full Reports of Evidence; and Speeches of Counsel in Extenso. Halifax: Wm.

MacNab, 1874. Canadiana website. https://n2t.net/ark:/69429/m0v69862fz1c

Set 5: Everyday Crime and the Toronto Police Court

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"Police Court," The Globe, 7 December 1869, p.4

"Police Court," The Globe, 3 June 1870, p.1

"Police Court," The Globe, 4 April 1872, p.1

"Police Court," The Globe, 7 July 1873, p.1

"Police Court," The Globe, 12 November 1873, p.1

"Police Court," The Globe, 11 February 1874, p.1

"Police Court," The Globe, 2 August 1876, p.4
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"Police Court," The Globe, 17 October 1877, p.1

Set 6: Federal Penitentiaries and Their Inmates

Parliament. "Report of the Minister of Justice as to Penitentiaries in Canada for the Year Ended 30th June, 1883." In *Sessional Papers*, No. 16 (1884). Canadiana website. https://www.canadiana.ca/view/oocihm.9_08052_17_9/54

Canada. Report of the Minister of Justice as to Penitentiaries of Canada for the Year Ended March 31, 1908. Ottawa: King's Printer, 1908. https://www.publicsafety.gc.ca/lbrr/archives/csc-rmjpc-1908-eng.pdf

Set 7: The North-West Mounted Police and Indigenous Peoples

North-West Mounted Police file on miscellaneous issues related to Indigenous peoples in the Prairie Region during the mid-1890s, RG18, vol. 1354, file 76-1896, parts 3-4, Library and Archives Canada, https://central.bac-

lac.gc.ca/.redirect?app=fonandcol&id=871324&lang=eng&ecopy=e010790072

NB: when you click on the link above, it may take a minute or two for the digitized document images to load on your screen.

Set 8: The Criminalization of Drugs

King, W.L. Mackenzie. *Report on the Need for the Suppression of the Opium Traffic in Canada*. Ottawa: S.E. Dawson, 1908. https://archive.org/details/reportonneedfors00king/mode/2up

Diary of William Lyon Mackenzie King, MG26-J13, Library and Archives Canada

- 10 January 1911, https://central.bac-lac.gc.ca/.redirect?app=diawlmking&id=3374&lang=eng&ecopy=80003QB9
- 12 January 1911, https://central.baclac.gc.ca/.redirect?app=diawlmking&id=3310&lang=eng&ecopy=00003DVU
- 17 January 1911, https://central.baclac.gc.ca/.redirect?app=diawlmking&id=3312&lang=eng&ecopy=F0003TM1
- 18 January 1911, https://central.bac-lac.gc.ca/.redirect?app=diawlmking&id=3314&lang=eng&ecopy=C0003NO2

House of Commons Debates, 11th Parl., 3rd Sess., Vol. 2 (26 January 1911) at 276-282 (Mackenzie King speech), https://parl.canadiana.ca/view/oop.debates_HOC1103_02/276

Set 9: Recent Penal Statistics and Trends

NB: If you use this set of documents, you must use the PDF versions of the reports (links available on the webpages below), so that you can cite page numbers.

Public Safety Canada Portfolio Corrections Statistics Committee. *Corrections and Conditional Release Statistical Overview, 2007*. [Ottawa]: Public Works and Government Services Canada, 2007. https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/ccrso-2007/index-en.aspx

Public Safety Canada Portfolio Corrections Statistics Committee. 2017 Annual Report: Corrections and Conditional Release Statistical Overview. [Ottawa]: Public Works and Government Services Canada, 2018. https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/ccrso-2017/index-en.aspx

Public Safety Canada Portfolio Corrections Statistics Committee. 2022 Annual Report: Corrections and Conditional Release Statistical Overview. Ottawa: Public Safety Canada, 2024. https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/ccrso-2022/index-en.aspx

Winter 2026 Sessional Dates and University Closures	
Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/	
January 5, 2026	Winter term begins.
January 16, 2026	Last day for registration and course changes (including auditing) for Winter courses.
January 31, 2026	Last day to withdraw from full winter courses and the winter portion of fall/winter courses with a full fee adjustment.
February 16, 2026	Statutory holiday. University closed.
February 16-20, 2026	Winter break. No classes.
March 15, 2026	Last day for academic withdrawal from Winter courses.
	Last day to request Formal Examination Accommodations for April full winter, late winter, and fall/winter final examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
March 25, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full winter term or fall/winter undergraduate courses, before the official April final examination period.
April 3, 2026	Statutory holiday. University closed.
April 8, 2026	Winter term ends.
	Last day of winter and fall/winter classes.
	Classes follow a Friday schedule.
	Last day for take home examinations to be assigned.
April 9-10, 2026	No classes or examinations take place.
April 11-23, 2026	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
April 23, 2026	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

UNIVERSITY AND DEPARTMENTAL POLICIES

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as "presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one's own." This 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 include, but are not limited to, books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific
 or mathematical concepts, or ideas without appropriate acknowledgment in any academic
 assignment;
- using another's data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own; and
- failing to acknowledge sources through the use of proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a university student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you.

For more information, please consult https://wellness.carleton.ca/

Emergency Resources (on and off campus):

https://wellness.carleton.ca/get-help-now/

Carleton Resources:

- Mental Health and Wellbeing: https://carleton.ca/wellness/
- Health & Counselling Services: https://carleton.ca/health/
- Paul Menton Centre: https://carleton.ca/pmc/
- Academic Advising Centre (AAC): https://carleton.ca/academicadvising/

- Centre for Student Academic Support (CSAS): https://carleton.ca/csas/
- Equity & Inclusivity Communities: https://carleton.ca/equity/

Off Campus Resources:

 Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, https://www.dcottawa.on.ca/

Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, http://www.crisisline.ca/

Good2Talk: 1-866-925-5454, https://good2talk.ca/

• The Walk-In Counselling Clinic: https://walkincounselling.com

ACADEMIC ACCOMMODATIONS

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances, are outlined on the Academic Accommodations website (students.carleton.ca/course-outline).

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

Pregnancy and Family-Status Related Accommodations

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 about the accommodation policy, visit the Equity and Inclusive Communities (EIC) website.

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, please go to: https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/.

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. You can find the Paul Menton Centre online at: https://carleton.ca/pmc/

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).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through

academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: https://carleton.ca/equity/sexual-assault-support-services

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. Read more here: https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf.

For more information on academic accommodation, please visit: https://students.carleton.ca/services/accommodation/.

Academic Consideration for Medical and Other Extenuating Circumstances

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/. Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade. More information about the academic consideration can be found https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/.