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The new Jim Crow: Crime and punishment in African American history. Race, crime, and the law. African Americans confront lynching: Black police in America. Indiana University Press; Oxford University Press; University of Michigan Press; University of Illinois Press; Waldrep, Christopher, Nieman, Donald G. University of Georgia Press; Race, class, and the death penalty: State University of New York Press; Race, law, and American society: Aguirre A, Baker DV. Slave executions in the United States: A descriptive analysis of social and historical factors. The Social Science Journal. Rape and the Law in the Old South: The Journal of Southern History [Internet]. Southern Historical Association; ;60 4: Did Slaves Have Free Will? Luke, a Slave, v. Florida and Crime at the Command of the Master. The Florida Historical Quarterly [Internet]. Florida Historical Society; ;83 3: Slave Crime in Savannah, Georgia. The Journal of Negro History [Internet]. University of North Carolina Press; University Press of Florida; The slave trial system in Richmond, Virginia, " American Nineteenth Century History. Getting Away with Murder. The American Historical Review. Black Ironworkers and the Slave Insurrection Panic of Southern Historical Association; ;41 3: Enslaved women and the law: Paradoxes of subordination in the post-Revolutionary Carolinas. Notorious in the neighborhood: Southern slavery and the law, [Internet]. Legitimized violent slave abuse in the American South, American Journal of Legal History [Internet]. Temple University; Apr 1;29 2. Southern Historical Association; ;40 4: Louisiana State University Press; Cambridge University Press; He shall go out free: Race relations at the margins: Violence among Slaves in Upcountry South Carolina. Harvard University Press; In the matter of color: Black Justice Under White Law: The Journal of American History [Internet]. Organization of American Historians; ;63 3: Temple University; ;21 3: Denmark Vesey and His Co-Conspirators. The William and Mary Quarterly [Internet]. From Rebellion to Revisionism: The Journal of the Historical Society. Inconsistency, Contradiction, and Complete Confusion: The Everyday Life of the Law of Slavery. Born a child of freedom, yet a slave: University Press of New England; Tumult and silence at Second Creek: Enslaved Women, Murder, and Southern Courts. Moral Economy, Slave Management, and the Law. Journal of Social History [Internet]. Oxford University Press; ;21 3: University of Virginia Press; A More Equitable Past? North Carolina Law Review [Internet]. Vanderbilt Law Review [Internet]. Organization of American Historians; ;58 3: Virginia Law Review [Internet]. Virginia Law Review; ;56 1: Virginia Law Review; ;78 5: Slave laws in Virginia. Southern Historical Association; ;61 3: Slavery in the cities: The Sunbury Petition of The Historical Journal [Internet]. Cambridge University Press; ;35 3: Legal Constraints on Slave Masters: The Problem of Social Cost. Temple University; ;41 1: Death of an overseer: Southern Historical Association; ;21 4: The forgotten legal world of Thomas Ruffin: Thomas Ruffin and the Perils of Public Homage. Under the guardianship of the nation: White women, Black men: Yale University Press; To set the law in motion: Fordham University Press; University of Texas Press; The Black Testimony Controversy in Kentucky, Terror in the heart of freedom: The Texas State Police during reconstruction: Southwestern Historical Quarterly [Internet].

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11 *Sexual Desire, Crime, and Punishment in the Early Republic* Mark E. Kann 12 *The Black Body Erotic and the Republican Body Politic*, John Saillant.

Onset[edit] Terrie Moffitt and Avshalom Caspi [8] compare childhood risk factors of males and females portraying childhood-onset and adolescent-onset antisocial behavior, which influences deviant behavior in individuals. Childhood-onset delinquency is attributed to lack of parenting, neurocognitive problems, and temperament and behavior problems. On the other hand, adolescent-onset delinquents did not encounter similar childhood problems. This study showed a male-to-female ratio of Based on research, girls are less likely than boys to have nervous system dysfunctions, difficult temperament, late maturity in verbal and motor development, learning disabilities, and childhood behavioral problems. Eagly and Steffen suggested in their meta-analysis of data on sex and aggression that beliefs about the negative consequences of violating gender expectations affect how both genders behave regarding aggression. Sociobiology and Sociobiological theories of rape Evolutionary psychology has proposed several evolutionary explanations for gender differences in aggressiveness. Males can increase their reproductive success by polygyny which will lead the competition with other males over females. If the mother died, this may have had more serious consequences for a child than if the father died in the ancestral environment since there is a tendency for greater parental investments and caring for children by females than by males[citation needed]. Greater caring for children also leads to difficulty leaving them in order to either fight or flee. Anne Campbell writes that females may thus avoid direct physical aggressiveness and instead use strategies such as "friendship termination, gossiping, ostracism, and stigmatization". By doing so, individuals with masculinized brains as a result of pre-natal and adult life testosterone and androgens enhance their resource acquiring abilities in order to survive, attract and copulate with mates as much as possible. Many other researchers have agreed with this and have stated that criminal behavior is an expression of inter-male competition in mating efforts and resource seeking since there is a huge correlation between criminals and fathering children at younger ages. Studies by Bettencourt and Miller show that when provocation is controlled for, sex differences in aggression are greatly reduced. They argue that this shows that gender-role norms play a large part in the differences in aggressive behavior between men and women. This results in counting men who had defended themselves as perpetrators, and counting women who may have engaged in ex post facto justification of their violence, a noted trait of psychological abuse , as victims. Other studies that decontextualized partner violence included labeling aggregate findings of motivations for violence that included the desire to coerce or control the partner or being angry with the partner as "striking back" when such questions revealed that women scored equal to or higher than men in desires to use violence out of simple anger or to coerce and control the partner. Another large study reveals that women are between two and three times as likely to be the offender in non-reciprocal partner violence. The study suggests that while women are far more prone to be the sole offender, reciprocal violence where both partners use violence has higher frequency of serious injuries, and that these injuries more often have female victims than male. It was also found that men were more likely to beat up, choke or strangle their partners, while women were more likely to throw something at their partner, slap, kick, bite, punch, or hit with an object.

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Prison Memoirs of an Anarchist Bookspan, Shelley. A Germ of Goodness: Death as Punishment in America, Brockway, Zebulon. Fifty Years of Prison Service: An Autobiography rp. Gendered Justice in the American West: With Liberty For Some: Inside the Sing Sing Death House. The Lineaments of Wrath: Penitentiaries, Reformatories, and Chain Gangs: Whores and Thieves of the Worst Kind: Edison and the Electric Chair: The Victim as a Criminal and Artist: Campaigns Against Corporal Punishment: The Furnace of Affliction: Hell Holes and Hangings: The Rise of the Penitentiary: A Just Measure of Pain: Prison Life is Different Johnston, Norman. Punishment, Prisons, and Patriarchy: Prisons and the American Conscience: Chronicles of San Quentin: Life Plus 99 Years Lewis, O. From Newgate to Dannemora: Twice the Work of Free Labor: Hanging in the Balance: One Dies, Get Another: The Rope, The Chair and the Needle: Capital punishment in Texas, Marvel, William. The Prison and the Factory: Origins of the Penitentiary System Meranze, Michael. Crime, Sexual Violence, and Clemency: The Rose Man of Sing Sing: Behind Gray Walls Oakey, Mary. Journey From the Gallows: Crime and the Nation: Founding the Criminal Law: Women in State Prisons, Ranson, John. The Discovery of Asylum: Punishment and Social Structure Sellin, J. Slavery and the Penal System Semmes, Raphael. A New South Rebellion: Hanging Between Heaven and Earth: The Prison Reform Movement: Forlorn Hope Sullivan, Larry [ed. The New York Tombs: The Cradle of the Penitentiary: Hang by the Neck: An International Annual 13 Adamson, Christopher. An International Annual Vol. Women, Gender Roles and Criminal Justice, ed. The McLean County [Ill. Problems and Prospects in Jail Management, ed. Klofas Sullivan, Robert B.

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Long Before Stonewall seeks to uncover the many iterations of same-sex desire in colonial America and the early Republic, as well as to expand the scope of how we define and recognize homosocial behavior.

Additional Information In lieu of an abstract, here is a brief excerpt of the content: Books for Libraries Press, The First Generation of Americans. Harvard University Press, Sexual Assault in New York City, " Sexuality in History, ed. Kathy Peiss and Christina Simmons, 35" Temple University Press, Princeton University Press, Crime and Punishment in the 19th-Century American South. Oxford University Press, The Debate on the Constitution: Library of America, Personalities and Themes in the Struggle for American Independence. The Ideological Origins of the American Revolution. The Culture of Sensibility: Sex and Society in Eighteenth-Century Britain. University of Chicago Press, The Horrors of the Half-Known Life: Harper and Row, The Evolution of Penology in Pennsylvania: A Study in American Social History. Beaumont, Gustave de, and Alexis de Tocqueville. Southern Illinois University Press, Liberty, a Better Husband: Single Women in America: The Generation of " Yale University Press, With Liberty for Some: Northeastern University Press, The Age of the Bachelor: Creating an American Subculture. Pillars of Salt, Monuments of Grace: The Murder of Helen Jewett: Cohen, Patricia Cline, Timothy J. Gilfoyle, and Helen Lefkowitz Horowitz. Sporting Male Weeklies in s New York. Penitentiaries, Reformatories, and Chain Gangs: Society, the Person and Sexual Politics. Stanford University Press, University of California Press, The Social Origins of Private Life: A History of American Families, " An Interpretation of Victorian Sexual Ideology, " Cott and Elizabeth H. Simon and Schuster, A History of Marriage and the Nation. Lesbians and Gay Men in the U. Report on the Penitentiaries of the United States. Daniels, Christine, and Michael V. Intimate Violence in Early America. Women before the Bar: Gender, Law, and Society in Connecticut , " University of North Carolina Press, Women and the Family in America from the Revolution to the Present. Patriarcha, or the Natural Power of Kings The American Revolution against Patriarchal Authority, " Cambridge University Press, You are not currently authenticated. View freely available titles:

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Chapter 6 : Project MUSE - Taming Passion for the Public Good

Sexual Desire, Crime, and Punishment in the Early Republic Mark E. Kann *The Black Body Erotic and the Republican Body Politic*, John Saillant *What's Sex Got to Do With It?*.

For the purpose of this Convention, the term "torture" means any act by which severe pain or suffering , whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him, or a third person, information or a confession , punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in, or incidental to, lawful sanctions. It appears to exclude: Some professionals in the torture rehabilitation field believe that this definition is too restrictive and that the definition of politically motivated torture should be broadened to include all acts of organized violence. For the purpose of this Declaration, torture is defined as the deliberate, systematic or wanton infliction of physical or mental suffering by one or more persons acting alone or on the orders of any authority, to force another person to yield information, to make a confession, or for any other reason. The treaty was adopted at a diplomatic conference in Rome on 17 July and went into effect on 1 July The Rome Statute provides a simplest definition of torture regarding the prosecution of war criminals by the International Criminal Court. Paragraph 1 under Article 7 e of the Rome Statute provides that: Article 2 of the Inter-American Convention reads: For the purposes of this Convention, torture shall be understood to be any act intentionally performed whereby physical or mental pain or suffering is inflicted on a person for purposes of criminal investigation, as a means of intimidation, as personal punishment, as a preventive measure, as a penalty, or for any other purpose. Torture shall also be understood to be the use of methods upon a person intended to obliterate the personality of the victim or to diminish his physical or mental capacities, even if they do not cause physical pain or mental anguish. The concept of torture shall not include physical or mental pain or suffering that is inherent in or solely the consequence of lawful measures, provided that they do not include the performance of the acts or use of the methods referred to in this article. Torture is the systematic and deliberate infliction of acute pain by one person on another, or on a third person, in order to accomplish the purpose of the former against the will of the latter. In order for the United States to assume control over this jurisdiction, the alleged offender must be a U. Any person who conspires to commit an offense shall be subject to the same penalties other than the penalty of death as the penalties prescribed for an actual act or attempting to commit an act, the commission of which was the object of the conspiracy. The definition is similar to the U. History of human rights In the study of the history of torture, some authorities rigidly divide the history of torture per se from the history of capital punishment, while noting that most forms of capital punishment are extremely painful. Torture grew into an ornate discipline, where calibrated violence served two functions: Entire populaces of towns would show up to witness an execution by torture in the public square. Those who had been "spared" torture were commonly locked barefooted into the stocks, where children took delight in rubbing feces into their hair and mouths. The Age of Enlightenment in the western world further developed the idea of universal human rights. The adoption of the Universal Declaration of Human Rights in marks the recognition at least nominally of a general ban of torture by all UN member states. Its effect in practice is limited, however, as the Declaration is not ratified officially and does not have legally binding character in international law, but is rather considered part of customary international law. Several countries still practice torture today. Some countries have legally codified it, and others have claimed that it is not practiced, while maintaining the use of torture in secret. The most prevalent modern example is bastinado , a technique of beating or whipping the soles of the bare feet. Second-degree torture consisted almost entirely of crushing devices and procedures, including exceptionally clever screw presses or "bone vises" that crushed thumbs, toes, knees, feet, even teeth

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and skulls in a wide variety of ways. A wide array of "boots" -machines variously and ingeniously designed to slowly crush feet-are quite representative. Finally, third-degree tortures savagely mutilated the body in numerous dreadful ways, incorporating spikes, blades, boiling oil, and extremely carefully controlled fire. The serrated iron tongue shredder; the red-hot copper basin for destroying eyesight abacination , q. Please help improve this article by adding citations to reliable sources. Unsourced material may be challenged and removed. August Learn how and when to remove this template message Assyrians skinning or flaying their prisoners alive Judicial torture was probably first applied in Persia. Over time torture has been used as a means of reform, inducing public terror, interrogation, spectacle, and sadistic pleasure. The ancient Greeks and Romans used torture for interrogation. Until the 2nd century AD, torture was used only on slaves with a few exceptions. This torture occurred to break the bond between a master and his slave. Slaves were thought to be incapable of lying under torture.

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Chapter 7 : Bibliography - Punishment

Mark E. Kann Is a well-known author, some of his books are a fascination for readers like in the *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic* book, this is one of the most wanted Mark E. Kann author readers around the world.

A new nation needed new laws, and thus, during this pivotal time in American history, there was a scramble to discover the most efficient way to deter crime. American penal reformers wished to depart from the old forms of punishment: John Howard Reformers viewed traditional jails of the late eighteenth and early nineteenth century as places that bred crime: By forcing the jailed to be silent, reformers believed they could prevent this sort of corruption and perhaps even create an environment where prisoners could reflect upon their actions. One English reformer, John Howard, was a proponent of such silence in the penitentiary. Howard traveled Europe, taking note on foreign prisons with the intent to improve English prisons. In Howard visited an Italian prison, unlike the ones in England or America at the time. This prison, the Casa di Correzione, was a silent house of correction. The jail was known for attempting to rehabilitate as well as punish its inmates through silence and reflection. Silentium the Latin word for silence. In the attempt to move away from the barbaric punishments of the past, Benjamin Rush and the Society would attempt to change the jailhouse into a place of penitence and rehabilitation. By , sixteen nine-by six-by-eight foot isolation cells for males and fourteen for females were constructed and thus was the beginning of a five-year trial period. In the Pennsylvania system, prisoners were confined to their own individual cells for 23 hours a day prisoners were permitted outdoors for an hour of exercise a day , where they slept, ate, and went to the bathroom. Prisoners were given work to do to keep them occupied during their solitary days. The Stepping Stone to Auburn Figure 3: Thomas Eddy Shortly after the experiments at Walnut Street, in , Thomas Eddy, a Quaker reformer, secured the construction of two New York Penitentiaries; however only one, Newgate, would come into existence. Thomas Eddy would also desire to create a penitentiary of silence. At Newgate prisoners were neither forced to be fully silent or subject to corporal punishment. Newgate In , Eddy prophesized that the Greenwich Village Prison would become a great achievement for Justice, however, from its beginning, the prison staff had difficulty maintaining the order Eddy had dreamed of. In the mid s, New York would pass legislation to allow for Auburn to begin experimenting with new methods of controlling prisoners, leading to experiments in solitary confinement at Auburn similar to the Pennsylvania system. This system separated prisoners at night, but allowed them to work together in silence during the day, as seen in the Casa di Correzione. Elam Lynds In order to keep inmates silent prison administrators, like Elam Lynds, would develop new techniques to control prisoners and keep them silent. New York State Legislature would go on to pass laws that facilitated the spread of the Auburn system. Stephen Allen and Samuel Hopkins, legislatures in the early nineteenth century, in particular would work together to pass laws that allowed for more rigid discipline in Auburn, as well as helping to shape the public opinion in favor of these new methods administrators would after all have to use methods of coercion in the form of corporal punishment in order to keep order at these silent penitentiaries. The development and spread of the Auburn system came from a different energy than previous developments for silence in the Penitentiary. *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic*. New York University Press, Illustrated by *Descriptions of the Borough Compter* â€¦ London: Butterworth and Son, and J. *The State of the Prisons in England and Wales: Printed by William Eyres, and Sold by T. Dilly, in London, Prisoners, Solitude, and Time*. Oxford University Press, Cornell University Press, Carey Leah and Blanchard. *Punishment and Control in Historical Perspective*. On the Penitentiary p. From Newgate to Dannemora. The Miriam and Ira D. Wallach Division of Art, Prints and Photographs: Accessed November 25, Elam Lynds, â€œ” Prison Reform and Criminal Law. New York Share this:

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Notes 1â€” Crime and Punishment 1. Immanuel Kant, *The Philosophy of Law*, trans. Clark, , , italics in original text. The Hastie translation is more complete than the Ladd translation, which appeared under the title of *The Metaphysical Elements of Justice*. It is the transcendent end of the death penaltyâ€”an end uncontaminated by any thought of social utilityâ€”that makes Kant insist, "Even if a Civil Society resolved to dissolve itself with the consent of all its membersâ€”as might be supposed in the case of a People inhabiting an island resolving to separate and scatter themselves throughout the whole worldâ€”the last Murderer lying in the prison ought to be executed before the resolution was carried out" *The Philosophy of Law*, John Rawls, for example, has stated emphatically that "to think of distributive and retributive justice as converses of one another is completely misleading. Harvard University Press, , Michael Sandel has seized upon this as a point of inconsistency in Rawls. Cambridge University Press, , Francis Golfing Garden City, N. Double-day Anchor Books, , , , Peter Gay, *The Enlightenment: The Science of Freedom* New York: Norton, , , quotation from Dent and Sons, , See, for example, Book 6, chapters 1 and 18 of *Commentaries on the Laws of England: A Facsimile of the First Edition of Chicago: University of Chicago Press*, Beccaria is mentioned by name in chapter 17 p. Faber and Gwyer, , Little, Brown, , 2: Bobbs-Merrill, , xxi. Garry Wills, *Inventing America: Vintage*, , Beccaria, *On Crimes and Punishments*, 45, 65, Kant, *The Philosophy of Law*, , Columbia University Press, , David Rothman, *The Discovery of the Asylum: An Annual Review of Research*, ed. Michael Tonry and Norval Morris Chicago: University of Chicago Press, , 3: Beccaria, *On Crimes and Punishments*, Harvard University Press, Court Records of Kent County, Delaware, , ed. Lehigh University Press, , 7. *The Laws and Liberties of Massachusetts*, ed. Scholarly Resources, , 1: Lyon, , 1: Cited in David H. Flaherty, "Law and the Enforcement of Morals," Nelson, *The Americanization of the Common Law: For a discussion of Nelson along with Morton Horwitz and J. Hendrik Hartog* New York: New York University Press, , Hindus, *Prison and Plantation: Knopf*, , Penguin, , Douglas Hay has argued, for example, that a margin of discretion in eighteenth-century English law enabled the ruling classes to demonstrate magnanimity and to exact deference from the lower orders. *Crime and Society in Eighteenth-Century England*, ed. Douglas Hay et al. Pantheon, , But see also John H. Academic Press, , *The Colonial Laws of Massachusetts*, reprinted from the edition of , ed. City Council, , Quoted in Flaherty, "Law and the Enforcement of Morals," Oxford University Press, , 2. Stein and Day, , quoted in Devlin, *Enforcement*, 3. Devlin, *Enforcement*, 3, 5. Hart, *Law, Liberty, and Morality* Stanford: The relation between law and morality is important not just for criminal law but also for constitutional law. Hardwick , U. Weidenfeld and Nicolson, , For a Kantian as opposed to utilitarian argument for the separation of law and morals, see George P. Fletcher, "Law and Morality: Nelson, Americanization of the Common Law , Simon and Schuster, , Holmes, "The Path of the Law," Miller, "The Novel and the Police," *Discipline and Fiction in Antebellum America*, Representations , no. Hurst, Chance, , 3: University of California Press, , Friedman, *A History of American Law*, For an extended argument along those lines, see chapters 2 and 4. Nancy Armstrong, *Desire and Domestic Fiction: Oxford University Press*, James Fenimore Cooper, *The Deerslayer* ; rpt. Signet Books, , All subsequent citations to this edition will appear in the text. See, for example, Jay Fliegelman, *Prodigals and Pilgrims: Eve Kosofsky Sedgwick, Between Men: George Simpson* New York: Free Press, , *Essays on the Rhetoric and Poetry of Law* Madison: University of Wisconsin Press, , Clarendon Press, , For the relation between Holmes and Bentham, see H. His argument has implications outside the criminal law as well. Stanley Fish, for example, has objected to Kelman on the grounds that "what Kelman is really complaining about is that there is a criminal law at all. Duke University Press, , For a more sustained, if implicit, response to Kelman, see

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Michael S. Roland Pennock and John W. Jan Lewis, "The Republican Wife: Oxford University Press, , Victor Turner, "Betwixt and Between: Cornell University Press, , , quotations from Turner, "Betwixt and Between," Turner himself has suggested that, in contrast to the localized and terminal liminality of tribal society, liminality in modern societies might be universal and permanent: Structure and Anti-Structure Ithaca:

Chapter 9 : Affect and Emotion in Greek Literature - Oxford Handbooks

Mark E. Kann, Professor Emeritus of Political Science and History, held the USC Associates Chair in Social Science at the University of Southern California. He is the author of Republic of Men (NYU Press,) and Punishment, Prisons, and Patriarchy (NYU Press,).