

History & Crime

Emerald Advances in Historical Criminology

Series Editors: David Churchill and Christopher Mullins

This series embraces a broad, pluralistic understanding of ‘the historical’ and its potential applications to criminology. Providing an inclusive platform for a range of approaches which, in various ways, seek to orient criminological enquiry to history or to the dynamics of historical time, the series also offers a platform both for conventional studies in the history of crime and criminal justice, but also for innovative and experimental work which extends the conceptual, theoretical, methodological and topical range of historical criminology. In this way, the series encourages historical scholarship on non-traditional topics in criminology (such as environmental harms, war and state crime) and inventive modes of theorising and practising historical research (including processual approaches and futures research). The series thus makes a valuable contribution to criminology irrespective of disciplinary affiliation, theoretical framing or methodological practice.

Upcoming Titles

A SocioLegal History of the Laws of War: Constraining Carnage by Christopher W. Mullins

History & Crime: A Transdisciplinary Approach

EDITED BY

THOMAS J. KEHOE

University of Melbourne, Australia

And

JEFFREY E. PFEIFER

Swinburne University of Technology, Australia



United Kingdom – North America – Japan – India – Malaysia – China

Emerald Publishing Limited
Howard House, Wagon Lane, Bingley BD16 1WA, UK

First edition 2021

Editorial matter and selection © 2021 Thomas J. Kehoe and Jeffrey E. Pfeifer
Published under an exclusive licence by Emerald Publishing Limited
Individual chapters © 2021 the authors
Published under exclusive licence by Emerald Publishing Limited

Reprints and permissions service

Contact: permissions@emeraldinsight.com

No part of this book may be reproduced, stored in a retrieval system, transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise without either the prior written permission of the publisher or a licence permitting restricted copying issued in the UK by The Copyright Licensing Agency and in the USA by The Copyright Clearance Center. Any opinions expressed in the chapters are those of the authors. Whilst Emerald makes every effort to ensure the quality and accuracy of its content, Emerald makes no representation implied or otherwise, as to the chapters' suitability and application and disclaims any warranties, express or implied, to their use.

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

ISBN: 978-1-80117-699-6 (Print)
ISBN: 978-1-80117-698-9 (Online)
ISBN: 978-1-80117-700-9 (Epub)



ISOQAR certified
Management System,
awarded to Emerald
for adherence to
Environmental
standard
ISO 14001:2004.

Certificate Number 1985
ISO 14001



INVESTOR IN PEOPLE

Contents

About the Authors	vii
List of Contributors	xi
Acknowledgements	xiii

Chapter 1 Making Sense of History and Crime through a Synthesised Framework	1
<i>Thomas J. Kehoe and Jeffrey E. Pfeifer</i>	

Part I: Historical Research on Crime

Chapter 2 Killing in Secret: State and Popular Perceptions of Infanticide in Early Modern Europe	15
<i>Una McIlvenna</i>	

Chapter 3 A Public Claim to Madness: Restoring Context to Forensic Psychiatry in Late Nineteenth-Century Victoria	31
<i>Georgina Rychner</i>	

Chapter 4 Towards a History of Deviance: Policing Drunkenness in Mid-Nineteenth-Century New South Wales	47
<i>Matthew Allen</i>	

Chapter 5 The Dazed and Dangerous Delinquents of Sin City: Policing and Detaining Juvenile Delinquents in Twentieth-Century Las Vegas	63
<i>Doris Morgan Rueda</i>	

Chapter 6 Containing the Undesirables: Discretion and the Sentencing of Habitual Criminals in Australian Supreme Courts in the Twentieth Century	77
---	----

Lisa Durnian

Chapter 7 The History of Forensic Psychology in Australia through a Legal Adjudication Narrative Lens: Cases from the Court of Criminal Jurisdiction	97
---	----

Jeffrey E. Pfeifer

Part II: Crime Research from a Historical Perspective

Chapter 8 Historical Criminology as a Field for Interdisciplinary Research and Trans-disciplinary Discourse	125
--	-----

Paul Bleakley and Thomas J. Kehoe

Chapter 9 Status Quotidian: Microhistory and the Study of Crime	143
--	-----

Alex Tepperman

Chapter 10 Breaking Down the Blue Wall: Using Historical Criminology to Map Entrenched Networks of Police Corruption	157
---	-----

Paul Bleakley

Chapter 11 Historical Methods in the Critical Study of Drug Policy	171
---	-----

Natalie Thomas

Chapter 12 Making the Case for a Feminist Historical Criminology: Female Homicide Offending in Victoria 1860–1920	189
--	-----

Vicky Nagy

Chapter 13 ‘Winning Hearts and Minds’: A Historically Motivated Model for Reactions to Occupation Strategy	203
---	-----

Thomas J. Kehoe and Paul Bleakley

Chapter 14 History, Crime Studies and the Use of History for Impact-based Research	227
---	-----

Thomas J. Kehoe and Jeffrey E. Pfeifer

Index	235
-------	-----

About the Authors

Matthew Allen (University of New England) is a Historical Criminologist whose diverse research is focused on the eighteenth- and nineteenth-century British world and particularly colonial New South Wales. He is currently writing a history of alcohol in the colony, which will explore the political symbolism of both celebratory drinking rituals and the regulation of public drunkenness in the period 1788–1856. Another major project examines the changing nature of deviance in New South Wales through a quantitative and qualitative study of magistrates and summary justice in the era of gubernatorial government, c.1810–1850. He is also researching secularisation and the role of religious faith, and especially protestant dissent, in the emerging colonial public sphere, c.1820–1840. All of these projects share an interest in understanding the unique and extraordinary transition of New South Wales from penal colony to responsible democracy and the way that this process was shaped by the conflict between liberal ideals and authoritarian controls within the British world.

Paul Bleakley (Middlesex University) is a Lecturer in Criminology in the School of Law at Middlesex University, London. His research focuses on, among others, corruption and policing, deviant subcultures, gang ideology and feminism in the sex industry. He takes a historical perspective to explore contemporary issues, particularly when exploring law enforcement. He has published in many leading criminology and history journals, such as *Critical Criminology*, *The Police Journal: Theory, Practice and Principles*, and the *Journal of the Royal Australian Historical Society*, and is the author of *Under a Bad Sun: Police, Politics and Corruption in Australia* (2021).

Lisa Durnian (Griffith University) is an Adjunct Research Fellow at the Griffith Criminology Institute (GCI) at Griffith University. Her doctoral research identifies the historical factors underpinning the emergence of the contemporary guilty plea systems in Australian Supreme Courts. Lisa's other research interests include the history of the criminal trial, Queensland police corruption (1926–1961) and the prosecution of patricide. Her work has been published in the *Australian and New Zealand Journal of Criminology, Law and History*, and *Australian Historical Studies*. Lisa's chapter in the edited collection *Gender Violence in Australia: Historical Perspectives*, published by Monash University Publishing in 2019, examines socio-legal responses to historical patricide events in the context of family violence. Lisa wishes to thank Dr Anastasia Dukova (Queensland Police Museum) for her research assistance tracing Albert Ward's late criminal career.

Thomas J. Kehoe (University of Melbourne) is Research Fellow in the School of Historical and Philosophical Studies at the University of Melbourne, Australia, and is head of the heritage project at the world-leading cancer charity Cancer Council Victoria. He has a background in German, US and international history, having completed his postgraduate degrees at the Universities of Sydney (MA) and Melbourne (PhD) in Genocide Studies and the US Post–World War II Governance of Germany. His current research focuses on governance, in particular, the intersecting issues of crime, policing, surveillance and psychology. His first sole-authored monograph – *The Art of Occupation* – was released in 2019. In criminology, he has published on military justice, crime by soldiers and ethnic bias in criminal justice systems in prestigious journals, including the *European Journal of Criminology*; *Holocaust and Genocide Studies*; the *Journal of Interdisciplinary History*; *Crime, History, and Societies*; *Social Science History*; and the *Journal of the History of Sexuality*.

Una McLivenna (University of Melbourne) is a Literary and Cultural Historian who works on the history of ballads, the tradition of singing the news and the history of crime and punishment across Europe, from the early modern period through the nineteenth century. She is currently completing a monograph titled *Singing the News of Death: Execution Ballads in Europe 1550-1900* for Oxford University Press and has published articles on news-singing in *Past & Present*, *Renaissance Studies*, *Media History* and *Huntington Library Quarterly*.

Doris Morgan Rueda (University of Nevada, Las Vegas) is a Doctoral Candidate at the University of Nevada, Las Vegas (UNLV) in the Department of History. Her research focuses on the development of juvenile justice systems in the American Southwest with a special interest in international juvenile justice, pop culture and race in the twentieth century. Her work uses a transnational approach to explore the representation and racialisation of juvenile delinquency in border towns through legal systems and popular images. Additionally, she is a multimedia artist who experiments with blending traditional acrylic painting with digital collages using historical photographs and popular culture. A wide range of experiences with history, teaching, art and technology has influenced her work and allowed her to pursue the intersection of scholarship, art and activism in innovative and creative ways. Prior to UNLV, she completed her BA in Criminology, Law and Society from the University of California, Irvine, in 2013 and her MA in History and Digital Media from California State University, San Marcos, in 2016.

Vicky Nagy (University of Tasmania) is Lecturer in Criminology at the University of Tasmania. She received her PhD from Monash University and her MA from Eotvos Lorand University in Budapest. Her research focus is on Australian and British women's offending and imprisonment in the past, especially women's

involvement in violent crimes, and she has published in *European Journal of Criminology*, *Journal of Interdisciplinary History*, and *Women and Criminal Justice*. Her monograph about the Essex arsenic panics of the nineteenth century titled *Nineteenth-Century Female Poisoners: Three English Women Who Used Arsenic to Kill* (2015) was published by Palgrave Macmillan.

Jeffrey E. Pfeifer (Swinburne University of Technology) is an Associate Professor and former Chair of the Department of Psychology at Swinburne University of Technology in Melbourne, Australia. Professor Pfeifer also holds a research position with the Centre for Forensic Behavioural Science. He has been teaching and researching in the areas of forensic and correctional psychology for over 20 years. He holds postgraduate degrees in both psychology and law and has published numerous articles as well as testified as an expert witness in both Canada and the United States. Professor Pfeifer's research has been cited by the Supreme Court of Canada and by Appellate Courts in Ontario and British Columbia. He is the recipient of the 2004 and 2017 International Corrections and Prisons Association Research Awards. Most recently, Professor Pfeifer has been conducting a program of research on the use of technology and gaming as a platform for positively affecting the well-being of prison officers as well as offenders. In addition to his research, he has conducted evaluations and training workshops for numerous agencies, including: *Corrections Victoria*, *G4S Australasia*, *Royal Canadian Mounted Police*, *Ontario Provincial Police*, *Western Australia Department of Corrections*, *Russian Ministry of Corrections*, *Namibian Correctional Service*, *Saskatchewan Ministry of Corrections*, *Anti-Corruption Commission of Zambia*, *Singapore Airport Security Service*, *Sharjah (UAE) Police Service* and the *Durban (South Africa) Police Service*. He is the author of two books as well as numerous chapters.

Georgina Rychner (Deakin University) completed her PhD in Historical Studies at Monash University in 2021. Rychner's dissertation examined public petitioning in capital trials in late nineteenth-century and early twentieth-century Victoria, with specific focus on narratives of mental illness. Her research areas include the history of crime and criminal justice, women's history, and the history of psychiatry and historical criminology. She has published on crime and mental illness in *Lilith*, *Health and History*, and *Law and History*, and has been heavily involved in the Australia and New Zealand Historical Criminology Network and the Australian Women's History Network. Rychner currently teaches criminology at Deakin University.

Alex Tepperman (University of South Carolina Upstate) received his PhD in History from the University of Florida and has also studied at the University of Toronto's Centre for Criminology and Sociolegal Studies and the University of Syracuse's Institute for Qualitative and Multi-Method Research. He is the author of 'Spreading the Convict Code During America's First Era of Mass Imprisonment' (in *Carceral Mobilities*, Routledge, 2017) and co-author of *Deviance*,

Crime, and Control: Beyond the Straight and Narrow, 3rd ed. (Oxford University Press, 2013). He has forthcoming publications in *Social Justice*, *Prison Service Journal* and *History: The Journal of the Historical Association*.

Natalie Thomas (University of Queensland) is a Postdoctoral Research Fellow at the University of Queensland and an adjunct Lecturer at the University of New England. Her research examines the place of civil society and non-government organisations in the drug and alcohol field, as well as in criminal justice settings. She has published in the *International Journal of Drug Policy* and *Contemporary Drug Problems*.

List of Contributors

Matthew Allen	University of New England, Australia
Paul Bleakley	Middlesex University, London
Lisa Durnian	Griffith University, Australia
Thomas J. Kehoe	University of Melbourne, Australia
Una McIlvenna	University of Melbourne, Australia
Vicky Nagy	University of Tasmania, Australia
Jeffrey E. Pfeifer	Swinburne University of Technology, Australia
Doris Morgan Rueda	University of Nevada, Las Vegas, USA
Georgina Rychner	Deakin University, Australia
Alex Tepperman	University of South Carolina, USA
Natalie Thomas	The University of Queensland, Australia

This page intentionally left blank

Acknowledgements

The editors would like to thank Dr Jason Skues for helping revise this manuscript and Dr Paul Bleakley for his tireless work and support. We would also like to thank Drs Vicky Nagy, David Churchill and Alex Tepperman for building the Australian, British and North American historical criminology networks that helped bring together the contributors that made this book possible. We would like to thank the history and criminology group at the University of New England. And, of course, we have special thanks for the series editors and Emerald Publishing – notably Jules Willan, Hazel Goodes and Katy Mathers – for having faith in us and the patience to work on this project through the difficulties of 2020.