

Review of Peter Linebaugh. 1992. *The London Hanged: Crime and Civil Society in the Eighteenth Century.* Cambridge University Press, 484 pages

Gordon Haas

Anyone who opens the cover of *The London Hanged* expecting a romp through the annals of the famous and near-famous who dangled from the end of the hangman's noose in eighteenth century London will surely be disappointed, for this is not the intent of this book. This should not, however, dissuade anyone from reading this fine work. Peter Linebaugh sets the stage in the first paragraph of the Introduction by defining the aim of *The London Hanged* as an exploration of 'the relationship between the organized death of living labour (capital punishment) and the oppression of the living by dead labour (the punishment of capital).'

Linebaugh's central thesis is that the spectacle of a hanging from Tyburn Tree was not simply a form of punishing transgressors, but served a more sinister purpose – a means employed by the power elite to force the working classes to accept conditions that were clearly detrimental to their health and well-being. Those who might recoil, supposing they will have to wade through either a Marxist or a 'bleeding heart' diatribe, in these days of twentieth century capitalism and conservatism would do themselves and *The London Hanged* a great disservice. It is a clear mistake to try to impose twentieth century doctrines onto the eighteenth century world, for whatever protections exist for the working classes of today were distinctly absent two centuries ago.

What is relevant for today, however, is the question of how effective was the attempt to utilize the death penalty as a means of social control, particularly for the United States, since its resumption of the death penalty in 1977. This question is even more germane to the states contemplating restoring executions and those who already employ capital punishment but seek to extend it beyond murder to other crimes such as drug offenses. Whether the death penalty can be defended as a deterrent is, or should be, a central question in this debate, and *The London Hanged* offers significant testimony on that point. Eighteenth century England, as Linebaugh pointedly describes, had more than two hundred statutes which called for the death penalty and the overwhelming majority concerned crimes against property which, for the power elite of those times, was sacrosanct. For instance, as reported in Roy Porter's (1990) *English Society in the Eighteenth Century* (Penguin Books: 17), of the 678 people executed in London and Middlesex between 1749 and 1771, 602 had been convicted of crimes other than murder. It is the relationship between property – how it was defined

and exploited as well as the laws enacted to preserve and protect it – and the forms of criminal activity that resulted which Linebaugh dissects throughout the entire book. Whatever the industry (e.g. tobacco, meat and poultry, the making of watches, shoes, hats, tailoring, weaving, coal, domestic service, or the ship yards) the pattern was alarmingly consistent.

Wages were consciously regulated either by Parliament or the owners at levels which could not possibly meet the needs of working men and women and their families. To make up the differences required merely to survive, for even eighteenth century folk had the irritating habit of needing to eat, working men and women would help themselves to unused by-products of their trades such as sweepings of gold or silver flacks, chips of wood, pieces of coal, remnants, or anything else that may have resulted from cuttings, grindings or whatever process was being employed. Owners saw this practice as lost capital; workers saw it as the long-standing custom of the work place. As long as the tasks were manual, divided into minute steps and put out for work in homes, the custom of appropriating excess materials was accepted and the owners had little recourse, other than maintaining low wages to compensate for their 'losses.' But, as industries became more mechanized and the work regimented, the owners were able to wield the political clout necessary to have passed ever increasing numbers of death penalty statutes with the expressed intent of bringing the losses of 'their' property to a screeching halt.

There was the very real question of who did in fact 'own' the by-products of a worker's labour. The finished product or portion thereof that any worker completed was not at issue. At issue were the strips of wood of no use in ship building, but which could heat a hearth or be of use in the home, or remnants of cotton or leather which could be made into clothes or shoes for children, or a myriad of other 'waste' products. Long standing custom decreed that such were the province of the worker and this was, concomitantly, reflected in the low wage structures. This, however, was reversed by the passage of laws codifying such 'pilfering' as theft and punishable by death, transportation, branding, whipping, or combinations thereof. Wages, of course, remained depressingly low. The result was the parade to Tyburn Tree; the whipping post; or transportation to America, Australia, or some other colonial outpost. That many who were caught and prosecuted escaped the hangman's noose, and in many cases were even acquitted, bears testimony to the fact that even juries thought the penalties to be extreme. Still, Tyburn Tree claimed its victims and Linebaugh describes in colourful detail the carefully managed spectacle that encompassed a hanging, for it was a very public event, precisely because it was intended to be an abject lesson for others to learn the necessity to control their actions in the manner expected by the power elite. How well the technique succeeded needs to be judged very carefully by those expect-

ing the same results today. While property may no longer be at issue, the means to the end are still the same.

Not everyone who was hanged, of course, 'stole' scrapings or remnants, and Linebaugh also delves into the cases of men and women who took to poaching or highway robbery. While the 'crimes' certainly were different, even here the underlying motivations were quite similar. In an age where a worker could earn only approximately one-half of what was needed to avoid starvation, and where credit was for all practical purposes non-existent, Linebaugh points out that the worker was left essentially with choosing one of three options – to reduce expenses, to ally with other income workers, or to meet one's needs in ways outside the money economy. For many that translated into robbing and poaching, and the result was a procession to Tyburn Tree. Linebaugh does not glorify those who were duly convicted and hanged. Law and order aficionados, however, may grumble at his description of the adventures of one Jack Sheppard early on in the book. Sheppard was a hero to the common folk because he displayed an uncanny knack of frequently escaping from captivity. Sheppard's daring deeds were the products of his unique abilities, combined with incredible stupidity and incompetence on the part of his keepers. Interestingly, even after he had escaped, he would return to his old haunts and resume his thieving. Finally, he ran out the string of good fortune and was hanged. Why he continually returned to the very areas where he was well known only he could answer, but that pattern was repeated by many others who had escaped in foreign ports from transportation sentences and made their ways back to England, only to be caught and hanged.

Whatever motivated these people to play such a risky game, fear of execution was obviously not a factor. Nor did the surfeit of death penalty statutes for stealing appear to lessen the high eighteenth century crime rates in England. Given the choice between stealing and starving, many simply opted for the former. When a 'gentleman' inquired of a young man whether or not he felt it was foolish for people to so risk their lives, the 'gentleman' was told: 'Master, Provisions are high and Trade is dead, that we are half-starving and it is well to die at once, as die by Inches.'

There are some factual assertions by Linebaugh, however, that bear closer scrutiny. In dealing with conditions aboard ships of the Royal Navy, he states that '133,708 sailors died of scurvy and other diseases ... during the Seven Years' War' (130). In his classic work, *The British Seaman 1200-1860: A Social Survey* (Farleigh Dickinson University Press, 1970: 258), Christopher Lloyd quoted that same figure but stated that it is a combined total of those who 'who were lost by disease *or* desertion' (emphasis added). Linebaugh's basic point – that there was a huge disparity between the number killed due to enemy action (1,512) versus those who died from disease – remains valid nonetheless. Linebaugh also points out that sailors were allotted only fourteen inches for their

hammocks (130) but neglects to add that the work details were arranged so that when one seaman used his hammock the one next to him was empty because that seaman was on duty. Thus, the serviceable space was twenty-eight inches. Linebaugh states that 'Widow's Men' were imaginary seamen carried in the muster books, and whose wages were contributed to a fund for 'the benefit of sailors' widows' (142). Actually, only officers' widows were paid benefits from that fund. Regular seamen's widows received no compensation from that or any other fund, save the generosity of the sailors themselves who purchased a dead sailor's effects at auction on the ship, with all the proceeds to be paid to the sailor's family. Linebaugh also cites the figure of 171 for those hanged in the eighteenth century who were born in Ireland. He then offers the following religious breakdown of this group as 109 Catholics, 7 Protestants, and 53 unknown (288). Unfortunately, those figures add up to only 169. These 'errors' are minor irritants, but they do unfortunately detract from this fine book.

Still, *The London Hanged* is must reading for anyone who desires a carefully crafted analysis of the working classes, their trades, and the attempts by those in power in eighteenth century London to use the threat of death to force acceptance of conditions that were clearly detrimental to the health and well-being of those struggling to survive. Given such conditions, who can truly say they would rather have starved to death than have tempted a fateful trip to Tyburn Tree?