

“A PECULIAR MARK OF INFAMY”:  
PUNITIVE DISSECTION AND ENGLAND’S MURDER ACT OF 1752

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## ABSTRACT

In 1752, the English Parliament enacted *An Act for the Better Preventing the Horrid Crime of Murder*, which allowed judges to augment murderers' death sentences with punitive dissection. On the surface, the Murder Act seems anomalous and anachronistic because it was introduced at the cusp of a significant penal reform era. However, as much as the writers of the statute hoped punitive dissection would serve as a crime deterrent, the public reaction resulted in something quite different.

The Murder Act ultimately epitomizes the culmination of a negotiation and appropriation of several early modern English attitudes pertaining to crime and punishment and corporal violability, all stemming from scientific, legal, and popular discourses on death. In creating a hierarchy of superior and inferior bodies, it transmitted a message of marginalization and amplified the distinctions between classes and illustrated that gap in death. Transforming the body into a site of knowledge and punishment, the criminal was, essentially, excised from the social body. This contradicted popular ideals of a "good" death primarily by denying proper Christian funerary and burial services and especially in denying life after death to the dissectee. As such, punitive dissection represented a form of spiritual banishment and reflected mortalist views contrary to established Anglican eschatology of life after death.

## TABLE OF CONTENTS

ABSTRACT.....	ii
LIST OF TABLES AND ILLUSTRATIONS .....	iv
ACKNOWLEDGMENTS .....	v
INTRODUCTION .....	1
Chapters	
1. FROM A SITE OF KNOWLEDGE TO A SITE OF PUNISHMENT: DISSECTING THE HUMAN BODY IN EARLY MODERN EUROPE.....	16
2. UNITING IDEAS OF PUNISHMENT, DEATH, AND SHAME: THE 1752 LEGISLATION .....	50
3. WORSE THAN DEATH: DISSECTION AS ANNIHILATION .....	67
CONCLUSION.....	103
BIBLIOGRAPHY.....	108

## LIST OF ILLUSTRATIONS

<u>Illustrations</u>	<u>Page</u>
1. Henry VIII and the Barbers and Surgeons in 1540.....	32
2. <i>De Humani Corporis Fabrica</i> by Stephen van Calcar (1543).....	45
3. “Ars Moriendi” woodcut by Antoine Verard (1494).....	75
4. “The Reward of Cruelty” by William Hogarth (1751).....	86
5. “The Dissection” by Thomas Rowlandson (1775) .....	87

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## INTRODUCTION

Between two and three o'clock in the morning on Monday, 28 May 1752, John Underhill awoke to one of his female tenants crying as she stood at the foot of his bed. The woman exclaimed that her fellow boarder, seventeen-year-old Thomas Wilford, a one-handed workhouse orphan, had killed his wife, Sarah Williams, a fruit seller. At that moment, Wilford appeared at Underhill's bedside and admitted to the wrong-doing just before Underhill's wife lit a match. In the dim light, they "saw the blood run off his [Wilford's] arm to his breeches; he was bloody as high as his elbow."<sup>1</sup> While his wife locked their door, Underhill rushed to the constable and reported Sarah's murder. When he returned home, the landlord went up to the lodgers' room, and "there lay his [Wilford's] wife on her back on the floor, with her face on one side near the chimney; her throat was cut, her head almost off, and a bloody knife was lying in the window. She was quite dead, dressed all but her bodice, cap and apron." Just a few days previously, Wilford asked Underhill to witness his marriage to Sarah, claiming that he would "go crazy" if they did not wed. That Sunday night, however, Wilford heavily drank, and in a fit of jealousy, violently assaulted his wife. When approached by Constable Henry Cooling after the murder, Wilford told him "he would very willingly die for her, because he loved her."<sup>2</sup>

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1. Old Bailey Sessions Papers, *Ordinary's Account*, 2 July 1752. Henceforth, OBSP.

2. Ibid.

One month later on Tuesday, 30 June 1752, Thomas Wilford faced his trial at the Old Bailey central criminal court in London. The jury found him guilty, and the judge sentenced him to death and arranged for an immediate execution to take place that Thursday. In addition to ending Wilford's life on the hanging tree at Tyburn, the judge ordered that this murderer's corpse be handed over to the Royal College of Surgeons for anatomical dissection. After hearing his sentence, the condemned Wilford "was taken from the bar weeping and in great agonies, lamenting his sad fate."<sup>3</sup> At his hanging on Thursday at eight o'clock in the morning, sheriffs carted him from Newgate jail to his place of execution. With the noose strapped around his neck, Wilford allegedly warned the multitude of spectators to heed the warnings embedded in his punishment, asked them to pray for his pitiable soul, and as the cart drew away beneath him, he cried for his Lord Jesus Christ to take delivery of his soul. His body dangled in this "last drop" until he was "turned off," at which point a coach came to receive his corpse and deliver it to Surgeon's Hall. The next day, anatomists dissected his body.

The regular chaplain who attended prisoners, the Ordinary of Newgate, discussed this account about Thomas Wilford as the court's first invocation of *An Act for better preventing the horrid Crime of Murder*, which Parliament enacted 26 March 1752 after King George II gave his royal assent.<sup>4</sup> The new statute allowed judges to augment

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3. *British Weekly Journal*, London: 9 July 1752. Cited in Peter Linebaugh's "The Tyburn Riot Against the Surgeons," in Douglas Hay, et al., *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (New York: Pantheon, 1975), 110.

4. 25 Geo. II 37: *An Act for better preventing the horrid Crime of Murder* (London, 1752).

murderers' death sentences with the post-mortem punishment of human dissection by sending deviant corpses to Surgeon's Hall nearby. It also permitted judges to add gibbeting (hanging in chains) as a means of punishing the dead—and arguably to punish the living (as this thesis will contend). Calling upon both of these secondary posthumous corporal punishments in the Act was meant to direct a “further Terror and peculiar Mark of Infamy” and “to impress a just Horror in the Mind of the Offender, and on the Minds of such as shall be present, of the heinous Crime of Murder.” It called for speedier executions (two days from the day of sentencing), and it also stipulated that, “*in no Case whatsoever* the Body of any Murderer shall be suffered to be buried.”<sup>5</sup>

The purpose of this law, which later became known as the Murder Act, aimed to amplify the punishment and deterrent for murder while strengthening the effectiveness of public executions. However, what was intended by the 1752 statute differed from what it actually did: it aggravated popular views of anatomy and linked dissection with punishment of the poor.<sup>6</sup> By illuminating its historical meanings, one finds that, ultimately, the Murder Act served as the accumulation of a negotiation and appropriation of several early modern English attitudes pertaining to death, crime and punishment, and corporal violability, thus inserting “the body within the nexus of complementary

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5. Ibid., 1-2. Emphasis added.

6. While the Murder Act included the posthumous punishment of gibbeting, examining this aspect of the statute in detail is beyond the scope of this thesis project. Similar to dissection, hanging in chains was seen as a great disgrace because it both allowed for a visceral public reminder of the consequence of murder, treason, and robbery, and for denying proper burial since the remains of the malefactor were only attended by parasites and birds rather than an undertaker and priest. See J.M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford: Clarendon Press, 1986), 526.



discourses.”<sup>7</sup> Firstly, it brings into play scientific discourses that permitted human dissection to be licit provided that the dissectors’ subjects were social deviants—thereby attributing to a hierarchy of inferior and superior bodies. This language, however, varied when directed toward the state whose sanction anatomists depended on, versus other anatomists. Secondly, the law invokes elite and political discourses that called for a reinvigoration and amplification of the execution despite its timing on the cusp of a penal reform era. Finally, and most significantly, the law combined those elite discourses and contradicted popular ideals of what many regular folk deemed a “good” death primarily by prohibiting proper Christian funerary and burial services and, most of all, by denying life after death to the person dissected. The very nature of human dissection, that is, its finality through bodily fragmentation and dissolution of one's organic and social existence, elicited fears of an ignoble, indeed, “bad” death in that it indirectly forbade resurrection of the soul on Judgment Day and contributed to a negative communal memory. This very issue of expunging members of the body faithful by means of denying proper burial and therefore bodily resurrection lies at the heart of popular dissent towards anatomization, an issue seemingly missing from elite accounts but embedded in the Murder Act. As such, from the three groups studied (anatomists, elites and the state, and regular folk), each broadcasted several strains of discourses that intersect and reflect the widening gap between elite and popular cultural attitudes toward the early modern body, its dissection, punishment and atonement, and death.

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7. Jonathan Sawday, *The Body Emblazoned: Dissection and the Human Body in Renaissance Culture* (London and New York: Routledge, 1995), 63.

Until the introduction of the Murder Act, the English state's support for anatomical studies primarily benefited medical men rather than its penal codes, and it only seems to have coincidentally added a stigma to dissection as a violent and offensive punishment. This is because the practice of allowing surgeon-anatomists to legally resort to dead social deviants, such as murderers, foreigners, and self-murderers, was not new with the Act. Since the reign of Henry VIII when the king signed a charter creating the Company of Barber-Surgeons, anatomists experienced a gradual increase in the awarded number of recently executed criminal bodies for their public dissections.<sup>8</sup> Such state-sponsorship was extended also to the Royal College of Physicians and individual universities. Private medical schools, however, usually relied on hospitals as their stores to buy or steal peoples' corpses. By the middle of the eighteenth century, England became one of the leaders in European anatomical studies and was followed by Italy, France, and the Netherlands. As a result, English anatomists welcomed the timing of the Murder Act, and the legislation seems fitting given the intellectual climate of the Anatomical Renaissance of the era.

Most scholars tangentially mention the Murder Act of 1752 and do not explore its place within larger historical framework outside the context of criminal law codes as well as the relationship to the 1832 Anatomy Act, making this piece an important and original historical contribution to legal and social history. The exception to this, at least to some extent, is Peter Linebaugh's article "The Tyburn Riot Against the Surgeons" in Douglas

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8. 32 Hen. VIII c.42: *An Act Concerning Barbers and Chirurgions to be One Companie* (London, 1540).

Hay's *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*.<sup>9</sup> As part of the new social history movement and utilizing an economic and class perspective, Linebaugh analyzed the bond between to-be-executed criminals and the crowds, who, based on their fears of dissection that were deeply rooted in religious discourses, attempted to protect the condemned bodies from being carried off by surgeons for anatomical research. He illustrated that the condemned and their families wanted to peacefully and decently reach the hereafter, which led to working-class people making bonds, even fraternities, to protect each other's bodies from surgeons. The fear was that dissection expunged their kin and community members from the body faithful, who, despite their significant social transgressions, had met their expectations of dying repentantly and with expiation.

However, on the one hand, even the forerunner of the history of English criminal law, Leon Radzinowicz, characterizes the Murder Act as no more than an aggravated form of the death penalty for a failing justice system, adding with extreme generalization that the "legislation, whether good or bad, is the outward and formal expression of the mind and the will of the people."<sup>10</sup> On the other hand, after scratching the surface, one finds that the Murder Act's place in history is far more complex, and indeed, the legislation represented only a portion of peoples' "will" for judicial reform.

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9. Peter Linebaugh, "The Tyburn Riots Against the Surgeons," in *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*, ed. Douglas Hay (New York: Pantheon, 1975), 65-118.

10. Leon Radzinowicz, *The History of English Criminal Law: Volume One—The Movement for Reform* (London: Stevens and Sons, 1948), v.

Ruth Richardson's *Death, Dissection, and the Destitute* and Richard Sugg's *Murder After Death* also discuss the Murder Act and popular fears of dissection, but they minimize it as a law that emerged out of a vacuum, although they correctly propose that dissection was looked down upon and feared by the masses.<sup>11</sup> Richardson focuses on the Anatomy Act of 1832, which regulated licensing of surgeons and allowed anatomists to dissect unclaimed bodies. She argues that the prevention of pauper funerals exacerbated fears of dissection and hatred towards anatomists. As we will see, this issue predates the 1832 Anatomy Act. Noting the rise of “sack-em-up men” and the commoditization of corpses in late-eighteenth and early-nineteenth century England, her discussion focuses on the nineteenth century, and as a result fails to provide a comprehensive understanding of literal and figurative punitive dissection of the poor. Although she briefly discusses how the English state replaced the Murder Act of 1752 with the Anatomy Act of 1832, Richardson’s important book and others do not extensively examine the role of the first law to codify dissection specifically as punishment rather than a consequence of awarding anatomists a quota of dissectable bodies. This thesis, then, intends to fill the void and help to complete Richardson’s research. With the exception of Sugg to some degree, current secondary sources do not analyze issues of dissection as feared for its after affects, making this research and the interpretations derived from it an important contribution to historical scholarship. After all, the fear of physical punishment also

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11. Ruth Richardson, *Death, Dissection, and the Destitute* (Chicago: University of Chicago Press, 1998); Richard Sugg, *Murder After Death: Literature and Anatomy in Early Modern England* (Ithaca: Cornell University Press, 2007).

contributed to emotional pain and served as a psychological punishment, and thereby created non-scientific, often religious, popular discourses opposed to anatomization.<sup>12</sup>

From a literary standpoint, Jonathan Sawday wrote one of the most significant works about the culture of dissection in early modern Europe in which he claims that all the players involved in human dissection, whether felon, executioner, or anatomists, participated in a spectacular drama between discourses of punishment and redemption. Sawday also asserts that the discourse of anatomy as a disinterested field of investigation came about *after* the privatization of punishment when penal dissection was no longer the public spectacle that Linebaugh discusses. In *With Words and Knives: Learning Medical Dispassion in Early Modern England*, Lynda Payne disagrees with Sawday and argues that anatomists, surgeons, and resurrection men learned medical dispassion specifically from prominent anatomy figures who encouraged “necessary inhumanity,”<sup>13</sup> dissecting

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12. See Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage, 1977); Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (New York and Oxford: Oxford University Press, 1985); Jan Frans van Dijkhuizen, ed., *The Sense of Suffering: Constructions of Pain in Early Modern Europe* (Boston and Leiden: Brill, 2009).

13. William Hunter coined this phrase in reference to what we now call medical dispassion. The idea promoted censoring identity of corpses so that anonymity allowed for treatment to corpses that otherwise would be considered unacceptable and inhumane. This mental framework was used to justify dissection as it contributed to the objectification of human bodies. This early form of clinical detachment is further discussed in Chapter One. Today, our concept of medical dispassion is mostly closely aligned with the concept of cadaverization, that is, removing or ignoring the humanness of remains for medical as well as non-medical research. See Mary Roach's *Stiff: The Curious Lives of Human Cadavers* (New York: W.W. Norton, 2003) for an entertaining analysis of cadaverization in the twenty-first century.

primarily in the seventeenth and eighteenth century.<sup>14</sup> While Payne provides instances in which anatomists dissected criminal bodies, her examination is limited to scientific justifications and edification of studying anatomy rather than issues of legal (criminal) corpse supply for anatomists. This work, then, hopes to fill-in the gaps of discussing the role of human dissection as a form of punishment within scientific, legal, and popular cultural worldviews.

Foucauldian discursive analysis of the body and crime and punishment informs the primary approach to deconstructing and understanding the narratives and messages of the texts utilized for this research. Discourses from four cultural communities convey a more complete picture of the Murder Act, including scientific discourse, legal attitudes, religious discourse, and contrary discourse within popular culture, all converging on the subject of power and justice. Culling from Michel Foucault's arguments in *Discipline and Punish*, this work illustrates that the early modern state shifted the apparatus of punitive justice to bite into a more bodiless reality: the soul.<sup>15</sup> Rather than simply judging a transgressor for his or her crime, courts, and in this case anatomists as well, refer to one's social status and one's soul to validate a punishment. Additionally, scientific discourses entangled and intersected with the practice of the power to punish religiously and judicially. Punishment might work as a political tactic of the state, but in the sense of the Murder Act, dissection and gibbeting operated as a complex social function punishing

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14. Lynda Payne, *With Words and Knives: Learning Medical Dispassion in Early Modern England* (Aldershot: Ashgate, 2007).

15. Michel Foucault, *Discipline and Punish*, 17-23.

criminals for their social transgressions *after* death and as supplemental to traditional punishments such as hanging. As a result, anatomists became accessories of the state, using the technology of dissection in wielding the powerful punitive scalpel as conduits of post-mortem pain, humiliation, and annihilation. Transmitting a message of marginalization, anatomists situated criminals, who in the minds of their familiars had already received just punishment through hanging, within a language of “other” by means of denying them life after death. Ultimately, while Foucault argued that the state “slackened its hold on the body,”<sup>16</sup> the stipulations of the Murder Act contradict such an assessment since the body became something intermediary as a way of punishing the soul and preventing bodily and spiritual resurrection, which proscribed an eternal punishment.

While this work as a whole revolves around making sense of the Murder Act, it is organized into three distinct parts despite intersecting categories of analysis. The first chapter focuses on the process of legitimization of human dissection alongside how dissectors moved away from long-established taboos associated with opening, cutting, and fragmenting the leaky vessels of their fellow creatures. Understanding this requires investigating the ways anatomists viewed dead criminal bodies materially, spiritually, and socially. Although seemingly helpful in advancing their studies, anatomists paid a heavy price for wielding the dissecting scalpel which significantly shaped their attitudes toward dissectees. Additionally, their reputations became at stake due to popular perceptions of anatomists’ precarious position and relationship with the notorious hangman as post-mortem executioners of the soul. The moral implications associated with human

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16. Ibid., 10.

dissection, then, required dissectors to negotiate discourses about the importance of their studies among elites while defending their status vis-à-vis dissectees. Utilizing social and religious justifications for their moral pursuit of knowledge to glimpse into the mind of God, anatomists amplified the already marginal, “other,” status of criminal corpses and even continued to ask Parliament for more criminal bodies well into the eighteenth century. Ultimately, relying upon deviants’ bodies led anatomists to acquire medical dispassion more easily, which allowed them to associate themselves with performing deeds for public good as extensions of the state.

The second chapter examines the framing of the Murder Act and places it into context with elite discourses about the necessity of such a supplementary punishment due to the ineffectiveness of executions and other punitive measures. Arguing that the spectacle of the public execution lost its magic and resulted in an unnecessary bond between the offender and the crowd assembled around the scaffold, law makers and elites wished to add to the revulsion of punishment for murder and thereby deter violence.<sup>17</sup> In the mid-eighteenth century, Parliament sought to reform the criminal justice system and reduce its ineffectiveness, resulting in the formation of the Committee of 1751, which is the group that also added to the books hard labor, increased transportation and penal colonies, increased numbers of prisons, and of course, punitive dissection. In essence, Parliament established a variety of secondary punishments that not only disciplined the deviant but also were meant to benefit society. For instance, the Stockyards Bill provided

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17. Clive Emsley, *Crime and Society in England, 1750-1900*, 4th edition (Harlow, UK: Pearson, 2010), 11.



for castigation while having men pay their debt to society with hard labor. The only secondary punishment that the public resisted, despite assisting anatomical studies (though marginally), was punitive dissection, in spite of over two centuries of handing over criminals and foreigners to anatomists. Additionally, while a secondary punishment in general reflects a “modern” worldview, particularly when surrounding notions of rehabilitation which became increasingly more common in late-eighteenth and early-nineteenth century Europe, in purposefully denying a proper Christian burial and redemption, elites continued to conform to ideals of the Bloody Code. However, if elites adopted the view that dissection denied spiritual life, the evidence is indirectly implied within the Murder Act and other texts. This chapter thusly demonstrates *why* many elites advocated various penal reforms, particularly the Murder Act and all its stipulations.

To bring this work full-circle, the third and final chapter juxtaposes the tenets of England's Murder Act of 1752 with popular discourses on what people considered a “good” or “bad” death per *ars moriendi* texts to illustrate how the law fostered a perpetuation of elite discourses that purposefully marginalized criminal and, ultimately, destitute peoples’ bodies. Moreover, the language in the Murder Act, in denying proper Christian burial, suggests an elite appropriation of popular soteriology, which assisted the process of fueling additional terror and infamy around transgressors’ deaths. In amplifying a “bad” death particularly, the Murder Act in effect failed to heal the body social because it denied both social and spiritual redemption, and, thusly, contributed to increased social anxiety towards anatomies. Moreover, it perpetuated an elite discourse of death and status that castigated “inferior” dead humans and cultivated popular attitudes

that opposed human dissection, deeming it worse than death, indeed a “bad” death, because of its three-pronged affect. Firstly, knowing one’s fate was to be shaved, cleaned, and cut open on a dissection table in front of a gaping audience caused severe emotional duress so that it was difficult for the condemned to face to death. Secondly, dissection organically banished the criminal from the body social by stripping away identity while releasing biological and spiritual contaminants. Thirdly, and most importantly, one endangered resurrection by preventing a proper or decent interment, thereby resulting in spiritual banishment without reinstatement into the body social by means of some sort of grave. All of these issues resulted in popular fears of not just physical, spiritual, and social deaths, but indeed a more rigid finality: annihilation.<sup>18</sup> In other words, improper burial and corporal fragmentation prevented resurrection and Last Judgment, but more than anything, dissection completely eradicated the dissectee from society, even in terms of identity and memory. The process of annihilation also stemmed from denying the condemned adequate time to come to terms with their ensuing deaths, and, especially, preventing funerary rites that allowed the survivors to grieve properly. These aspects represent the essences of “bad” death, even for criminals, which resulted in an even greater symbol of disgrace that transcended death.

The primary literature utilized varies among chapters, but the sources share a common characteristic: all were in some way produced by elites. For instance, the

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18. For an analysis of Jacobean literature and heightened anxieties of death as distinguished from annihilation during seventeenth-century England, see Robert N. Watson, *The Rest is Silence: Death as Annihilation in the English Renaissance* (Berkeley and Los Angeles: University of California Press, 1999).

anatomical treatises were written by university educated men, and they influenced magistrates and lobbied for more awareness of the significance and importance of human dissection. Additionally, the commentators and legal writers arguing for amplified punishment or promoting punitive dissection were propertied and wealthy men who felt that they had much to lose in an uncontrolled penal system. Finally, the chaplains who documented last dying speeches as well as the riots against surgeons at the scaffold wrote with a cultural bias. What is known about popular fears of human dissection, then, is funneled through the upper classes so that much of the analysis from those sources in some ways is based on conversations among elites. However, some sources such as “last dying speeches” that came in the forms of cheap broadsides, at least seem to be produced for everyone, especially as inexpensive printed materials became increasingly popular in conjunction with rising rates of literacy, and “buyers remained socially variegated.”<sup>19</sup> Nonetheless, while elites seemed unconcerned or unaware about how they were perceived when producing the policies related to punitive dissection<sup>20</sup>, regular folk were most affected by the consequences of human dissection, and these sources illustrate that cultural dissonance between classes in terms of their religious beliefs and cultural ideals about the meaning of the body punishing it.

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19. Tessa Watt, *Cheap Print and Popular Piety, 1500-1640* (Cambridge: Cambridge University Press, 1991), 3.

20. Aside from anatomists, elites were largely unconcerned with popular perceptions towards them in legislating punitive dissection; however, this is an issue that requires further investigation and is beyond the scope of this study.

In the end, the Murder Act succeeded in adding a “peculiar mark of infamy” to capital punishment, even though the meaning of punishment differed for elites and the majority of people who suffered it. Additionally, the Murder Act showed that anatomists swam against the stream in contrast to popular meanings of the human body so that they were perceived as more criminal than the murderers they dissected. This became especially true towards the latter half of the eighteenth century and into the nineteenth century as freshly buried bodies were improperly and illegally exhumed from their graves for the purposes of private anatomical studies. Although beyond the scope of this study, the zenith of popular hatred towards anatomists resulted from the famous Burke and Hare murders of destitute prostitutes in the 1820s, which led to the greater regulation of anatomy schools and dissection and the culmination of the 1828 and 1832 legislation so that what had been a *de jure* punishment for murders became a *de facto* punishment for the poor. The symbiotic relationship between anatomical studies and the state offering executed criminals—who primarily came from the lower classes since elites either received a different punishment or were granted proper burial despite or in lieu of dissection—epitomized by the Murder Act suggests that the discourses it embodied continued, influenced, and largely resulted in the anatomy reforms of the early-nineteenth century. The greatest difference, however, is that the early modern popular view toward punitive dissection was concerned with issues related to spiritual death, burial, and resurrection, while the nineteenth century discourse cried out against the illicit buying and selling of bodies of the poor, rather than just criminals.

## CHAPTER 1

FROM A SITE OF KNOWLEDGE TO A SITE OF PUNISHMENT: DISSECTING  
THE HUMAN BODY IN EARLY MODERN EUROPE

England's use of punitive dissection both precedes and extends beyond the 1752 Murder Act and intersects with the whole history of human dissection in Western Europe and, in particular, its process of legitimatization. Just as it continues today, anatomization and corporal dismemberment elicited anthropological, psychological, and religious problems, thus attributing to a history of social taboos associated with it and influencing the practice to remain, for many people in medieval and early modern Europe, an illicit activity. On the one hand, as the dissector sunk his knife into the flesh of a person's dead corpse, he penetrated and investigated God's greatest creation, a microcosm of the expansive universe. On the other hand, he simultaneously violated the dissectee's last intimate possession and rightful domain: the body. As Andrea Carlino aptly states, "dissection of a cadaver was not legitimate in itself, but it was when practiced in a specific place and, especially, by a certain group of persons who could justify their activity in the name of their calling (e.g. physicians, medical students)."<sup>21</sup> Even so, licit dissection required more than appropriate dissectors, but also their explicit use of *violable* dissectees. This resulted in the creation of a hierarchy of inferior and superior human bodies as dissectors were allowed to dissect principally corpses of executed criminals,

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21. Andrea Carlino, *Books of the Body: Anatomical Ritual and Renaissance Learning*, trans. John Tedeschi and Anne C. Tedeschi (Chicago and London: University of Chicago Press, 1994), 173.

self-murderers, orphans, the insane, and foreigners.<sup>22</sup> So that, while almost any corpse would suffice, the lesser the social status of that person or the greater the gravity of his or her crime, the more licit for dissection. The use of deviant bodies for dissection led to further stigmatization of human anatomical studies, seemingly only licit when connected to the language of punishment and, to some extent, redemption for both the dissectee and dissector. Despite contributing to a growing corpus of knowledge of anatomy, medicine, and eventually physiology and pathology, anatomists had to defend their status as they became associated with the hangman while they carried out post-mortem corporal punishments and violence.

Given this context, the passage of the Murder Act should not be surprising since lawmakers appropriated a discourse with a long history, that is, relying on marginalized and punishable bodies which gave license to the anthropologically violent practice of human dissection. In order to understand the emergence of the 1752 statute, this chapter traces the history of human dissection's legitimatization in Western Europe and situates it alongside a chronology of the commoditization of human corpses in early modern England and in tandem with how anatomists placed meaning upon the body. The first part provides a brief history of the origins of human dissection in Western Europe as well as medical education, including pedagogical shifts, on the Continent and in England. The second piece focuses on anatomists and natural philosophers' moral edification and justifications of human dissection as related to how they ontologically understood the

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22. Jonathan Sawday, *The Body Emblazoned*, 3; Roy Porter, *Flesh in the Age of Reason*, xv.

human body, particularly those of criminals, which allowed for emotional and philosophical detachment. This involved moral associations of humanness which influenced anatomists to create a pecking order of lesser and greater bodies. Finally, in the end, dissectionists viewed their practice not as violence or assault inflicted upon the dead people laying limp and powerless before them, but instead a necessary evil requiring them to sacrifice with a “necessary inhumanity” to study nature, God, and medicine for the greater benefit of society.

Until the last couple of decades, scholarship primarily reflected historical interest in prominent figures, discoveries, and events in the history of science. The vast secondary literature about English anatomists’ pursuit of legitimizing human dissection and acquiring a “necessary inhumanity” shows that the subject has been widely studied. Historians Andrew Wear and Roy Porter stand at the forefront of medical and intellectual history of the age of the Enlightenment, while Andrew Cunningham, Roger French, Katharine Park, and Lynda Payne have surveyed anatomical studies specifically in Europe. Particularly useful for this study, Porter makes a distinction between several “bodies” when philosophy and religion combated against “new science”<sup>23</sup> and politics: “The body Christian, the body pagan; the body medical, the body scientific; the body noble, the body debased...the body sacred, the body profane—all of these were in the melting pot in that great ‘crisis’ of European thought...” that marked the

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23. David Newton, *Science and Society* (Boston: Pearson Allyn and Bacon, 1974), 53.

Enlightenment.<sup>24</sup> Roger French's works, including *Dissection and Vivisection in the European Renaissance*, invariably discuss the importance of anatomical studies in regards to medicine, to some extent elite scientific culture, and especially anatomists' emphasis on dissecting human bodies instead of pigs or dogs since Flemish Padua-trained Andreas Vesalius' days. French's works are incredibly valuable contributions to the study of anatomical history. In regards to objectification of humans for anatomical studies, Lynda Payne's book, *With Words and Knives: Learning Medical Dispassion in Early Modern England*, serves as one of the most recent studies about dissection specifically in England as she traces the pedagogical methods and ideals that medical men represented at the time.

Similar to the above secondary texts, this chapter utilizes analysis derived from anatomical treatises and commentaries, which illustrate how anatomists assigned inferior status to those they considered without "rational" souls and that they, therefore, could not feel pain, making them less than human. This resulted in a sort of scientific theology that held fast to diminishing Aristotelian ideas. Additionally, this paper uses legal petitions from the Royal Society, Royal College of Physicians, and College of Barber-Surgeons (by 1743, known as the Royal College of Surgeons) that on several occasions asked the English Parliament to extend or amend contracts in order to increase the supply of cadavers, primarily those of the freshly executed. From these texts, we can trace dissectionists' attitudes towards the dead people they violently dissected (here forward termed *homines defuncti*, plural, when referring to dead people), the decomposing

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24. Roy Porter, *Flesh in the Age of Reason*, xv.



corpses they studied (*corpora mortua*, plural, when referring to dead bodies)<sup>25</sup>, and how they perceived their own occupations.

In light of the vast history of human dissection, this chapter seeks primarily to analyze legitimization as a category of analysis, which illuminates the historical context of England's Murder Act. Firstly, investigating human dissection's legitimization process allows contextual analysis of change over time, particularly of the ontological discourses of human bodies for anatomists. From its ancient beginnings, human dissection remained taboo, but well into the early modern period—when anatomical studies gained importance in medical education—a process of objectification began to shape the practice. Initially, this was largely due to the practical reasons behind human dissection. After all, hands-on knowledge began overshadowing textual and didactic means of learning anatomy while, in reality, it made more sense for anatomists to practice on dead bodies rather than on those still breathing, especially in an era without anesthetics.

Secondly, *who* anatomists systematically fragmented contributed most significantly to the process of objectification, which depended on issues related to the status of the dead. In other words, social status and rank shaped discourses regarding the violability of individual bodies. Some bodies became profane if society deemed them transgressors or unworthy of proper treatment, which Roy Porter demonstrates. In addition to this was the dichotomy between criminal and saintly bodies, as Katharine Park has analyzed, since both types of bodies underwent scientific investigation provided

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25 . Using these terms helps differentiate the difference between dead people and corpses, the former reflecting humanness and the latter reflecting objectification.

they were placed within the dichotomous language of punishment and oblation.<sup>26</sup> In many respects, when, who, and if anatomists dissected their fellow creatures was shaped by actions of the state that sought to control the extent *homines defuncti* were dissected or autopsied. As a result, governing bodies, in this context in England, inadvertently contributed to the process of objectification, depersonalization, and retributive attitudes anatomists placed on their specimens since the state sanctioned human dissection when it involved social deviants or outsiders, not simply *any* dead corpse.

At the same time, however, the discourses examined here are part of a subculture, that is, elite or “high” culture. The figures discussed in this thesis lived in a community within a larger community, and often they needed to find ways to swim with the accepted currents to make their methods (that is, cutting into dead people) a licit scientific practice, and thereby, redeem their reputations. In other words, in terms of early modern English anatomists, making new knowledge *outside* their community acceptable rested on *negotiation* of various cultural discourses, which are in this case death and the body. As such, this is part of a cultural and social history intertwined with intellectual history as they related to death, not just science. As Columbia University professor Pamela Smith notes, “historians of science are now interested in the uses made of natural knowledge more generally and in historical attitudes towards nature [i.e., the human body] more broadly concerned.”<sup>27</sup> Moreover, the element that makes this chapter stand alone and

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26. Katharine Park, “The Criminal and the Saintly Body: Autopsy and Dissection in Renaissance Italy,” *Renaissance Quarterly* (Spring, 1994): 1-33.

27. Pamela H. Smith, “Science in Motion: Recent Trends in the History of Early Modern Science,” *Renaissance Quarterly* (Summer 2009): 346.

meritable is that it goes beyond what historians often take for granted: that, in order to easily objectify their fellow creatures and slice into their dead bodies, anatomists *appropriated* the religious and common cultural discourses contending that social transgressors held inferior status. As we will see later, dissection of criminals, particularly murderers, transmitted a message of marginalization and, indeed, served as a form of banishment, if not total annihilation from the social body (Chapter Three). In all, anatomists' efforts to justify human dissection perpetuated and heightened the notion of inferior-violable bodies in order to increase their self-imposed superior status while working in negotiation with discursive attitudes of crime and punishment.

Despite its unpleasantness, even offensiveness, human dissection remains necessary for studying medicine for several obvious and fundamental reasons. In order for medicine to exist, physicians and surgeons of all fields require at least basic knowledge of the human body, its individual parts and their functions, in addition to specialized concentrations of knowledge. Medical professionals and laymen alike must “know thyself” (to use a medieval concept) to treat minor ailments, while extensive anatomical and physiological understanding is needed for prognoses and diagnoses. Additionally, information of how the body works also requires exploring its parts, and professionals resort to human dissection to familiarize themselves in an apprenticeship-like manner. Finally, the most obvious modern justification for human dissection, which has had a continuity over the centuries, is that anatomizing dead corpses makes more sense than dissecting the living: corpses do not struggle, they do not feel pain, and are therefore powerless. Vivisection (dissection of living specimens, including people),

occurred often in Renaissance Italy but remained practiced upon other animals or extreme social transgressors (traitors, murders). However, before the medieval period, anatomists learned medical knowledge through dissecting apes, monkeys, pigs, and dogs, among other animals, because they refused to cut into dead human bodies, deeming it a violent assault on the dead individual's honor and rightful burial, if not simply too morbid. The exception to this was occasional post-mortem autopsies since opening and reducing the parts of one's fellow creatures remained uncanny business because of the impurity and putrefaction concerned as disease-carrying things.<sup>28</sup> By the sixteenth century, medieval and early modern anatomists “made a public ritual of taking the body of an executed criminal, washing and shaving it, and cutting it into the tiniest pieces in a formalized fashion”<sup>29</sup> but with continued state regulation and religious restriction.

The word “anatomy” comes from the Greek term “anatom,” meaning “cutting up.” The Greeks started the intellectual development of human anatomy and carried with them a commitment to understand the body's parts and systems, but they gained knowledge through anatomy of other animals. Greek culture forbade human dissection, believing that “dead human bodies still have some awareness of things that happen to it and therefore still had an absolute right to be buried intact and undisturbed.”<sup>30</sup>

Hippocrates (460-370 BCE) is credited as the “Father of Medicine,” but Alcameon and

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28. Roger French, *Dissection and Vivisection in the European Renaissance* (Aldershot: Ashgate, 1999), 7.

29. *Ibid.*, 1.

30. A.O. Malomo, et al, “Lessons from History: Human Anatomy, from the Origin to the Renaissance,” *International Journal of Morphology* 24 (2006): 99.

Empedocles wrote the first anatomical treatises. Like his predecessors, Hippocrates resorted to specimens culturally available to him in comparatively anatomizing animals so that many of his published observations contained errors. However, as a seventeenth-generation physician, he accurately recorded anatomical osteological facts from treating injured and uninjured patients. Aristotle (384-322 BCE) followed Hippocrates, as a towering figure in the history of anatomy, laid the foundation for comparative anatomy through speculating on the insides of humans by means of dissecting animals. Anatomy as based on medicine developed in Alexandria during the third century BCE, but the practice of human dissection remained culturally unavailable.

The first documentation of anatomizing humans comes from “the father of anatomy,” Herophilus of Chalcedon (ca. 325-255 BCE) who dissected over 600 cadavers of executed malefactors.<sup>31</sup> This shows that, from the very beginnings of the anatomical sciences, legitimate human dissection rested upon the defilement of criminals' remains. However, Greek as well as Roman culture strictly forbade human dissection, although they certainly supported the practice of medicine. Although the evidence is vague as to exactly why except due to great reverence toward previous studies, medical schools deemed human dissection superfluous to a physician's medical education. The most celebrated ancient anatomist following Hippocrates was Claudius Galenus (131-192 CE). Many of his medical treatises have survived and were held in high esteem well into the Middle Ages, despite the ubiquitous inaccuracies of his studies of human anatomy, information which he acquired from dissecting and vivisecting “lesser” animals,

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31. Ibid., 101.

particularly monkeys. Galen argued that because monkeys have similar faces and nervous systems to those of humans, his observations were correct, making human dissection unnecessary. His anatomy books continued to represent the highest authority of knowledge for centuries to come.

The first “sporadic evidence” of human dissection in Western Europe comes from Trotula, a twelfth-century nun from Salerno. While Trotula’s identity is controversial, the compendium written under her name illustrates the acquisition of detailed female anatomy that could be obtained only through human dissection.<sup>32</sup> Given Salerno’s location and proximity to Arabic hubs of anatomical studies at the time where human dissections regularly took place, it is likely that medical texts and practices from the Middle East influenced the university, so that human dissection seemed much less of a taboo.<sup>33</sup> By the late-thirteenth century, studying human anatomy revived after a

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32. Clifford Backman, *The Worlds of Medieval Europe*, 2nd ed. (New York: Oxford University Press, 2009), 305-306, writes about her: “It is possible, too, that she learned more about anatomy through dissection – which we know was performed at the medical school in Salerno in the twelfth century.”

33. The history of anatomy differs greatly in comparison to England in this respect, but especially because of how each culture viewed the body. According to Katharine Park, Italians sooner dissected and vivisected humans because they considered the body immediately inanimate at death. She states: “In this Italian mental universe, death corresponded not to the gradual decomposition of the corpse but to the instant of separation of body and soul. In that instant, the corpse became insensitive and inanimate, a not-self.” On the other hand, Northern Europeans, including the English, believed that the soul did not immediately ascend (or descend) from the body at death, and as a result, remained in an animated state for some time. This means that, since death occurred faster (and without burial) to Italians, they were apt to adopt human dissection with fewer taboos than other European cultures. See Katharine Park, “The Life of a Corpse: Dissection in Late-Medieval Europe” *Journal of the History of Medicine and Allied Sciences* 50 (January 1995): 111-132.

seemingly dark period and coincided with a greater and more acceptable utilization of human specimens rather than pigs, dogs, sheep, and monkeys which had been the norm under Classical investigations. It has been incorrectly assumed that the 1299 papal bull *Detestande Ferittatis*, in which Boniface VIII ordered for human remains to be buried in decent fashion, was aimed to prevent the “cruel and profane” dismemberment of corpses to check anatomical human dissection. If the pope actually wanted to place a limitation on corporal dismemberment specifically in regards to human dissection, he would have said it explicitly without room for various interpretations. Nonetheless, dissections required the consent of local authorities as well as the pope for several centuries onward.<sup>34</sup> In the fourteenth century, Mondino de Luzzi of Bologna essentially revived the study of anatomy and encouraged and practiced human dissection, yet only with the bodies of executed criminals. Mondino also performed autopsies to investigate and verify the causes of death when foul play was suspected, and he used these autopsies as a legitimate and legal means of human dissection. His work amounted to the first dissection manual in 1316.

The Renaissance ushered in changes to the study of anatomy, especially as artists demanded more precise information. Great artists such as Leonardo da Vinci, Berengario da Capri, and Michelangelo studied human anatomy to illustrate the human form in terms of structure and movement with beautiful detail and great accuracy. Their works influenced printing of copperplates which were integrated in anatomical treatises because

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34. Carole Rawcliffe, *Medicine and Society in Later Medieval England* (Gloucestershire, UK: Alan Sutton Publishing, 1995), 128.

previous renditions were copies from inaccurate and sketchy images. However, prior to the sixteenth century, the anatomy lesson failed to exercise any true sense of investigation. Invariably, aside from Renaissance artists, dissectors performed dissections to celebrate classical authorities such as Hippocrates and Galen in a ritualistic manner. If their findings differed from ancient texts, they deemed the bodies abnormal rather than the ancient authorities erroneous. At the same time, opening corpses provided a means to bring validity and visual support to written texts and crude drawings of anatomy books rather than encourage exploration of the bodily interior. As Andrea Carlino points out, this resulted in a dismal demotion for anatomists who became “merely a student of texts, and the practical aspects of teaching, and even more of anatomical research, remain[ed] totally secondary to his purpose....void of any significant investigative aim.”<sup>35</sup>

The corpus of knowledge of human anatomy in Europe significantly expanded after the sixteenth century, deemed the Anatomical Renaissance, as Italy led the European continent in advancements of anatomical studies. Through patronage and the establishment of anatomy schools, prominent figures emerged in the sixteenth century, such as Andreas Vesalius (d. 1564) and Berengario da Carpi (d. 1530). Thanks to humanist scholars impacted by the Renaissance and Reformation, classical learning was revived so that ancient Greek texts were translated into Latin, making anatomical texts more readily available to a wider albeit elite audience.<sup>36</sup> Additionally, while repetition of these texts and observations of human dissections in grand anatomy theatres remained

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35. Carlino, *Books of the Body*, 20.

36. Ruth Richardson, *Death, Dissection, and the Destitute*, 32.



significant parts of medical education, hands-on dissections and desires to improve knowledge began to assume more important roles.<sup>37</sup> Many historians of science attribute this to a shift in pedagogical methods credited to the Flemish, Padua-trained physician-anatomist Vesalius who, in 1543, published his text *De humani corporis fabrica libri septum* in Johannes Oporinus' print shop in Basel. Vesalius vehemently advocated hands-on studies through dissection of actual human cadavers in order for medical students—primarily surgeons and physicians—to gain practical training and knowledge of the body's map while verifying data derived from the ancient texts of Galen and Hippocrates. The ultimate goal was for anatomists to have a personal interaction with corpses, rather than referring to ancient authoritative texts that remained largely unchanged for hundreds of years, yet Vesalius and others found various problems with Galenic texts. As Mary Lindemann points out, Renaissance anatomists did not perform anatomies to disinherit Galen or Hippocrates, nor did Vesalius mean to dispute all their findings. Instead, Vesalius intended to illustrate the map of the human body with actual bodies rather than texts. In this spirit, Vesalius wished “to carry out Galen's own anatomical program and in doing so he demonstrated some Galenic mistakes.”<sup>38</sup> Vesalius consequently corrected many errors but he dissected because “it was not enough to observe.”<sup>39</sup> However, despite the many contradictions found in the ancient works, many anatomists and texts continued

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37. Mary Lindemann, *Medicine and Society in Early Modern Europe* (Cambridge: Cambridge University Press, 2007), 71.

38. *Ibid.*, 72.

39. *Ibid.*

to espouse those errors well into the seventeenth century. Galenism, thus, witnessed “a slow deflation rather than a sudden implosion” during the early modern period.<sup>40</sup>

Although much slower in advancing the study of anatomy through dissection than the Continent, English anatomical studies increased in the fourteenth and fifteenth centuries, when judges called upon surgeons as expert witnesses for medical testimony in court.<sup>41</sup> But these testimonies were not dependable as they relied on astrology, tradition, and ancient authoritative texts.<sup>42</sup> In England, the first recorded act of human dissection came from David Edwardes in 1532, a fellow at Oxford University. Although there remains no record of controversy in response to Edwardes’ *Introduction to Anatomy* in which he recorded the dissections he conducted, Oxford did not receive special permission to dissect humans until 1624. This was augmented in 1636 when Charles I allowed Oxford University the right to claim any executed felon within twenty miles since, “There have sometimes been difficulties in obtaining the body of a dead man for such use.”<sup>43</sup> Oxford was granted consent as late as 1624 possibly because the institution produced more clergymen than it did medical men,<sup>44</sup> at least until the 1570s when the

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40. Ibid., 70.

41. Thomas Rogers Forbes, *Surgeons at the Old Bailey: English Forensic Medicine to 1878* (New Haven and London: Yale University Press, 1985), 43.

42. Ibid., 43.

43. *The Great Charter of Charles I* (London, 3 March 1636).

44. David Edwardes, *Introduction to Anatomy* (London, 1532); H.M. Sinclair, “Oxford Medicine,” in *Medicine in Seventeenth Century England*, ed. Allen G. Debus (Berkeley and London: University of California Press, 1974), 375.

temporal powers of the Church of England waned and the universities' statutes were modernized.<sup>45</sup> As such, the university placed less emphasis on anatomical studies than contemporary institutions. However, anatomies remained centered around universities for much of the sixteenth century until corporations and guilds solicited cadavers from the state in the next century. Meanwhile, the lack of human bodies as subjects retarded any English developments in studying anatomy. Most students learning about human anatomy had little or no hands-on experience, and many went into practice without ever having sliced their knife into human flesh. The best way to learn about the body was to take it apart and see how it was put together, but most students had to resort to books or an overcrowded lecture hall.

Parliament, however, remained acutely sympathetic to the needs of universities and those with an interest in anatomy such as guilds and other professional bodies so that there was some success in petitioning for a legal supply of cadavers. By the mid-sixteenth century, three organizations worked in conjunction with Cambridge and Oxford Universities in regulating medicine and practice: the College of Barber-Surgeons, the Society of Apothecaries, and the College of Physicians.<sup>46</sup> Such university-centered regulation resulted primarily from the 1511 Medical Act, which solely allowed Oxford and Cambridge to grant medical licenses and therefore forced surgeons and physicians

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45. A.H.T. Robb-Smith, "Cambridge Medicine" in Debus, *Medicine in Seventeenth Century England*, 328.

46. Lindemann, *Medicine and Society in Early Modern Europe*, 174.

under these guilds to collaborate with them to prevent quackery.<sup>47</sup> While the 1511 Medical Act did not specifically address issues of human dissection, the universities themselves required medical students to observe anatomies or incorporate education obtained elsewhere, such as the universities in Padua, Bologna, or Paris. The first instance in which the cadavers were officially granted to anatomists came in 1540 when Henry VIII allowed the Company of Barber-Surgeons up to four criminal bodies per year for anatomical dissections.<sup>48</sup> Even with over 600 criminal executions in 1540, anatomists could only acquire those four bodies. Despite the 1540 charter that legally granted barber-surgeons the right to dissect criminals, any corpses of hanged felons, as recorded by John Stowe, “was begged by the Chirurgions of London, to have made him an Anatomie.”<sup>49</sup> The very act of begging suggests an inadequacy of specimens. At the very least, however,

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47. 3 Hen. VIII c.11: *An Act for the appointing of Physicians and Surgeons* (1511); H.M. Sinclair, “Oxford Medicine,” in Debus, *Medicine in Seventeenth Century England*, 371. The creation of the Royal College of Physicians in 1518 formulated the 1511 Medical Act, allowing the College to oversee medical practitioners within seven miles of London. However, the Act was targeted to protect the interests of physicians in competition with the Society of Apothecaries. In 1542 the Act was amended to allow apothecaries or anyone with knowledge of natural methods to treat wounds without license. It is also worth noting that in addition to preventing quackery and dishonest medicine, the 1511 Medical Act was directed at women healers and surgeonesses as attacks on witchcraft, and, as A.L. Wyman states, this “bad reputation attached to women stems largely from the strong hostility of the men trying to maintain their own monopoly and status in their closed corporations.” To learn more about women in medicine, see A.L. Wyman, “The Surgeoness: The Female Practitioner of Surgery, 1400-1800,” *Medical History* 28 (1984): 22-41.

48. 32 Hen. VIII c.42: *An Act Concerning Barbers and Chirurgiuns to be One Companie* (1540). See also Clare Gittings, *Death, Burial, and the Individual* (London: Croom Helm, 1984), 74.

49. John Stowe, *Annals of England*, (London, 1594).

the 1540 charter represents the first time the state organized teaching of human anatomy since, thereafter, each year the company dissected four *corpora mortua* before fellow Barbers-Surgeons members and apprentices whose attendance was compulsory.<sup>50</sup>

The English state continued to fulfill universities' needs to conduct human dissection with enacting various statutes. In 1564, Elizabeth I granted an additional four criminal bodies per year specifically to the College of Physicians for public lectures. The next year in 1565, Gonville College was granted two executed criminals per year after



Figure 1: *Henry VIII and the Company of Barber-Surgeons Make One Companie*. 1540. Image obtained from Wellcome Library, London.

John Caius, a former student of Andreas Vesalius, obtained permission from the queen.<sup>51</sup> Within eight years in 1572, studying anatomy via human dissection became

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50. Leo M. Zimmerman, "Surgery," in Debus, *Medicine in Seventeenth Century England*, 50.

51. A.H.T Robb-Smith, "Cambridge Medicine" in Debus, *Medicine in Seventeenth Century England*, 335. Gonville College was later renamed Caius College after John

compulsory so that students at both Cambridge and Oxford University were required to observe at least two anatomies in the Senate House or Physic School neighboring Gonville College, by then named Caius College.<sup>52</sup>

While the statutes regulating anatomies were abundant, the actual number of dissections remained relatively limited. This came as a result of cultural limitations, rather than anatomists' disinterest or need in anatomical studies. However, because of the disagreeableness of dismembering fellow humans, anatomists seemed to create a discourse by which they could make dissection licit by relating it to God, paralleling their studies with a greater morality. Anatomists studied the human body for the advancement of medicine, both physiological and surgical, but also for the sake of knowledge itself. Both off and on the dissection table, anatomists linked this to religion, justifying it with a discourse that broadcasted a message that called the human body a reflection of the entire universe, a microcosm of nature in all its parts and liquids. Dissection, then, was a sacred art connected to wisdom and goodness. As Roy Porter aptly stated, the “data gleaned through dissection reveal[s] the glories of Creation and its Divine Artist [God]...and [led] to the improvement of medical knowledge and practice.”<sup>53</sup> Thus, “the anatomist should be viewed with admiration and even piety.”<sup>54</sup> Furthermore, similar notions were

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Caius who served as Master and Regius Professor (who administered anatomical dissections).

52. Ibid., 336.

53. Porter, *Flesh in the Age of Reason*, xiii.

54. French, *Dissection and Vivisection*, 219.

promulgated by Richard Tomlins, who founded a readership of anatomy in England, stating that “the knowledge and vnderstanding of mans body and partes and faculties of the same doth much conduce to the honor and glory of god our mightie and wonderfull creator.”<sup>55</sup> Added to this, it is argued that incorporating medicine with the work of God “gave [it] permission to exist . . . [and] lessened the possibility of conflict.”<sup>56</sup> As Andrew Wear contends, *not* studying the human body was sinful, as such action “willfully lessened the lifetime that God had allotted to an individual.”<sup>57</sup>

The religious splendor associated with dissection may come from the fact that they originally took place in churches prior to the days of anatomy theatres as well as relate to dissections' timing with Lent and especially Carnival. English anatomists seemingly were influenced by the ritual of Carnival in Italy, France, and at the universities of Oxford and Cambridge when the “world was turned upside down.” Generally, winter months served as optimal times to conduct anatomies which could take place over the period of a month rather than a matter of days or a week or two since the cold temperatures slowed decomposition and decay of cadavers. Coinciding with the winter season of Carnival, university-performed human dissections, too, seemed acceptable and licit, being void of negative moral implications. For instance, William

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55. Strickland Gibson, ed. *Statua antiqua universitatis oxoniensis* (Oxford: Clarendon Press, 1931), 551. Quoted in Sinclair, “Oxford Medicine,” in Debus, *Medicine in Seventeenth Century England*, 375.

56. Andrew Wear, *Knowledge and Practice in English Medicine, 1550-1680* (Cambridge: Cambridge University Press, 2000), 31.

57. *Ibid.*, 31.

Harvey noted in his Lumelian Lectures that students were required “At the end of the yeare in winter to dissect openlie in the reading place all the bodie of man especiallie the inward parts for five daies together, as well as before as after dinner, if the bodies so last without annoie.”<sup>58</sup>

Although the universities of Cambridge and Oxford granted medical degrees, many English anatomists acquired a respectable, albeit much more expensive, medical education at other European universities.<sup>59</sup> During most of the fifteenth through seventeenth centuries, the universities of Padua and Bologna, followed by Paris into the eighteenth century, served as popular arenas for medical educations until an abundance of private medical schools sprang-up in England in the late-eighteenth and early-nineteenth centuries. As traditionally Catholic cities, universities at both Padua and Paris opened their liturgical calendars with Carnival every winter. While England can be said to have had its own sort of carnivalesque rituals, English anatomists' exposure to especially Italian and French culture may help explain, at least in part, how they achieved moral distance from cutting open and examining their fellow creatures. Considering university public dissections occurred in the winter months during such festivities, anatomization, its studies, and Carnival were thus linked to most anatomists' medical education.

The early modern Catholic liturgical calendar included several seasons which organized peoples' religious and secular lives. It started with Advent, or “beginning,”

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58. William Harvey, *Lectures on the Whole of Anatomy. Annotated Translation of Prelectiones anatomiae universalis*, eds. C.D. O'Malley, F.N.L. Poynter, and K.F. Russel (Berkeley and Los Angeles: University of California Press, 1961), 3.

59. Mary Lindemann, *Medicine and Society in Early Modern Europe*, 101.



which took place four weeks before Christmas. As a time of prayer and penance, Advent called for followers' prayers and penance as well as feasting along with preparation of and the celebration of Christmas itself through the Feast of Epiphany on 6 January. Carnival immediately followed and was at its height usually in February just before Lent. Symbolic social inversions of Carnival used by populaces to critique hierarchies while alleviating social tensions remain the dominant characteristics in historical understandings of carnivalesque rituals of early modern Europe,<sup>60</sup> but the world was turned upside-down in non-political ways as well. The occasion of Carnival reversed many rules within the status quo and rendered disorder temporarily acceptable so that "the first should be last and the last should be first."<sup>61</sup> As Julius Ruff states, "Carnival was a time of license" in which behavioral norms transgressed spatial, social, even political spheres, resulting in a lack of inhibitions.<sup>62</sup> Moreover, Carnival was not something simply observed by all members of society; rather, people actively embraced, engaged, and participated in all its festivities. As such, even practices such as desecration of corpses became less stigmatized.

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60. See Emmanuel Le Roy Ladurie, trans. Mary Feeny, *Carnival in Romans* (New York: G. Braziller, 1970); Mikhail Bakhtin, trans. Helene Iswolsky, *Rabelais and His World* (Bloomington: Indiana University Press, 1984); Despite early modern Protestant reformers' and Puritan attempts to restructure the Anglican calendar, Carnival-natured festivals continued in England, as seen in Chris Humphrey's *The Politics of Carnival: Festive Misrule in Medieval England* (Manchester: Manchester University Press, 2001).

61. Quoted in Julius Ruff, *Violence in Early Modern Europe, 1500-1800* (Cambridge: Cambridge University Press, 2001), 164.

62. *Ibid.*, 165.

Dissection also remained linked to religion in terms of anatomists' language describing their purposes with relevance to God, all the more explicitly finding legitimacy in the violence they inflicted on the dead's remains. By the end of the seventeenth century, advances in anatomy and physiology fostered more praise and elicited pride in studying the human body within scientific communities, as the Cambridge botanist John Ray celebrated, "the admirable Art and Wisdom that discovers itself in the make and constitution, the order and disposition, the ends and uses of all parts and members of this stately fabric of Heaven and earth."<sup>63</sup> By probing the body, anatomists intellectually penetrated God. Dissectionists thus acquired medical dispassion and sacrificed their humanity as part of their religion, and thereby contributed to creating a secular form of piety. Moreover, such discourse attributed to a higher sense of status because only anatomists' steady hands could probe dead bodies with such merciless skill. French physician and celebrated surgeon-anatomists Ambroise Paré (d. 1590) urged that people should "give praise and honor to the physician and surgeon, for God hath created him," because they are "far more worthy than any other man."<sup>64</sup> More importantly, he tells surgeons not to "give heed to the judgment of the vaine common people, who speake ill of Chirurgions because of their ignorance."<sup>65</sup>

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63. Quoted in Payne, *With Words and Knives*, 54.

64. Ambroise Pare, *The Collected Works of Ambroise Pare – 1510-1590*. Trans. Thomas Johnson (London, 1634), A2-A3.

65. Ibid., A5.

Ultimately, however, anatomists considered themselves martyrs in that only they could be the “heroes” of anatomical knowledge. For instance, William Rowley, an English physician, argued that a dissectionist “must repeatedly with his own hands, dissect dead human bodies; must breathe mouths in the unpleasant, and frequently destructive air of a dissecting room he must *risk his own life to be serviceable to others*; and frequently some of the brightest ornaments of the profession have fallen *victims* to their ardour in these necessary though horridly disagreeable pursuits.”<sup>66</sup> Anatomists, thus, sacrificed not just their humanity, but also their health and for the sake of knowledge and for the sake of studying what they considered God’s most divine creation.

Corporeality of the human soul and scientific inquiry may seem antithetical to the modern mind. For many anatomists in the seventeenth century, however, religious ideologies regarding the soul did not conflict with scientific systems of thought. Instead, these concepts were deeply embedded in natural philosophy and discourses towards human dissection and what made it licit. Even though most English anatomists had already started moving away from a soul-oriented belief system and towards a body-centered knowledge in the seventeenth century, they did not think of the body as wholly

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66. William Rowley, *On the Absolute and Necessity of Encouraging, Instead of Preventing or Embarrassing the Study of Anatomy* (London, 1795), 6. Emphasis added.

secular.<sup>67</sup> As David Hillman points out, “spiritual inwardness and bodily interiority were inseparable to early modern people...[For them,] truths lie within the body.”<sup>68</sup>

One of the founding members of the Royal Society, as well as the founder of neurology, Thomas Willis (d. 1675), thought that licit anatomical dissections hinged on a creature’s ownership of a rational soul and the physiology of that soul. Like many people of science and philosophy, he considered the body the instrument of the soul. Willis’ training involved Aristotelian natural philosophy, which treated issues of intellect and vital functions of life as “things common to body and soul.”<sup>69</sup> This also integrated some Galenic arguments about the body, even though Renaissance medicine both disposed and appropriated some of Galen’s ideas on human physiology in the sixteenth century. Galen postulated a tripartite circulation system that included Hippocratic medicine, which argued that the human body consisted of four types of humors and three spirits. In addition to Hippocrates’ concern with the body as a whole organism that required balancing of the four humors, blood, phlegm, yellow bile, and black bile, Galen argued that the blood disseminated spirits throughout the body. He considered the blood the “natural spirit,” which transformed into the “vital spirit” after passing through the heart and lungs. When blood reached the brain, the brain infused it with the “animal spirit.”

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67. Porter, *Flesh in the Age of Reason*, 45.

68. David Hillman, “Visceral Knowledge,” in *The Body in Parts: Fantasies of Corporeality in Early Modern England*, eds. David Hillman and Carla Mazzio (New York and London: Routledge, 1997), 82.

69. Aristotle, *De Sensu*, 436a 8, 11. Cited in Rina Knoeff, “The Reins of the Soul: The Centrality of the Intercostal Nerves to the Neurology of Thomas Willis,” *Journal of the History of Medicine and Allied Sciences* 59 no. 3 (2004): 418.

Despite the decline of Galenic systems of thought, especially alongside what Andrew Cunningham rightfully termed the “Anatomical Renaissance,” some natural philosophers like Willis remained influenced by Galen into the seventeenth century and others even into the mid-eighteenth century.<sup>70</sup>

Willis serves as an intermediary example of Galenic and Harvian medicine, as he appropriated the idea of blood disseminating spirits to explain the “corporal” and “rational” souls in both humans and “brutes,” or inferior creatures, primarily animals other than humans. During the 1600s and 1700s, many in the natural science and philosophy communities debated the notion of animals possessing souls, and it became widely accepted that humans and animals differed “only in degree from the nearest sub-human species” which resulted in “a heightened interest in apes and savages.”<sup>71</sup>

According to Ruth Richardson, that this provided for a recognition of the “animality of the human species, opening way to legitimization of comparative anatomy and the dissection of the human body on a wider scale...”<sup>72</sup> Thus it was not unusual for Willis to have thought that animals and humans had different souls. In his studies, Willis suggested that all creatures had corporeal souls (or “animal spirits,” based on the concept of *anima*) that flowed throughout one’s body. The corporeal soul controlled animation of the body,

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70. For an examination of the “Anatomical Renaissance” in Europe during medieval and early modern periods, see Andrew Cunningham’s *The Anatomical Renaissance: The Resurrection of the Anatomical Projects of the Ancients* (Aldershot: Scholar Press, 1997).

71. R.M. Young, “Animal Soul,” quoted in Richardson, *Death, Dissection and the Destitute*, 35.

72. Richardson, *Death, Dissection and the Destitute*, 35.

or the basic means of living, such as the autonomic nervous system (heartbeat, respiration, digestion, to name a few examples).<sup>73</sup> As for “rational” souls, however, only humans possessed these. Like William Harvey, Willis contended that the brain, or “mental emotions,” made the body move, as nerves supplied “spirits and instinct or inclinations,”<sup>74</sup> suggesting that the anatomical-physiological machinery of the body was linked to one's abilities to control emotions and thus civility.

Some humans, however, based on their intellect, illustrated to Willis that not all people were capable of reason and judgment. A rational person exuded intelligence because of the exuberant flow of his “rational” soul. On the other hand, the more crude the creature, the less likely it was to feel intense pain and physical distress. The majority of Willis’ and other anatomists’ specimens were recently executed criminals tried for murder, treason, or infanticide, sometimes foreigners without kin to protect their remains, or paupers who could not afford decent burials. Anatomists and other elite members of society considered all three types of people as “other,” especially criminals, and the poor, in particular, in the late-eighteenth and nineteenth centuries. Criminals seemed to lack the intelligence of “normal,” “rational” members of society; hence their willingness to commit atrocious crimes against the social body. As such, dissectionists assigned a subordinate status to their usual licit supply of bodies because criminals, and, perhaps, to some extent the poor, attributed to a discourse of less than “rational” souls. This is not to

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73. Thomas Willis, *Two Discourses Concerning the Soul of Brutes Which is that of the Vital and Sensitive of Man* (Originally London, 1683; Gainesville: Scholars’ Facsimiles & Reprints, 1971), 32.

74. Thomas Willis, *Pharmaceutice rationalis*, 116.

say they did not have souls, but with the brain as the seat of the soul, depending on the brain's abilities, it controlled the extent of the rationality of the soul.<sup>75</sup> Because criminals allegedly did not have superior souls as “brutes,” anatomists argued that criminals did not feel pain, which made it easier for them to objectify these “lesser” bodies.

Anatomists held the penetrating and pain-inflicting tool of the scalpel as a metaphorical instrument of power, not just over knowledge, but over the meaning assigned to dissected bodies so that they did not dismember “the body” but instead “these bodies.” Assigning inferior status to certain individuals served as one of the first steps in justifying human dissection as morally licit and thus acquiring medical dispassion in which anatomists sacrificed their humanity for the sake of knowledge.

Dissection of criminals inadvertently also acted as a mode of repression of undesirable behavior—murder, suicide, even being poor or an outsider—thus making anatomists extensions of the state in carryout punishments. Moreover, this added to anatomists' status as wielders of the scalpel which gave them explicit license to inflict pain while investigating knowledge, making the lifeless creatures anatomists dissected become powerless entities, devoid of personification through other means. The anatomist, however, was bound with power and authority as conduits of pain and the status to legitimately dissect the subjugated body on the dissection slab. Whether in context of culture, science, and politics, historians studying repression and pain tend to rely on two main secondary works, Michel Foucault's *Discipline and Punish: the Birth of the Prison*

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75. Ibid., 35.

and Elaine Scarry's *The Body in Pain: the Making and Unmaking of the World*.<sup>76</sup>

Foucault sophisticatedly connected power relations to infliction of pain, primarily by the penal system in creating a spectacle out of the law's punishment of a criminal's body to intimidate by example and display the power of the state.<sup>77</sup> This ritualistic behavior of the state not only reasserted its power and authority, but also assisted in reconstituting and healing the social body by punishing those who polluted or diseased society. Elaine Scarry furthers this assertion with the notion that such painful punishment of a criminal's body annihilated his or her identity, not just his or her physical being. Causing such annihilation of one's self-hood through pain both "unmade" the world of the criminal and "remade" the world by healing the social body.

Aside from various works by Foucault, Elaine Scarry's *The Body in Pain* serves as the primary theoretical basis for historical analyses regarding pain. Although she focuses mostly on its contemporary contexts, she offers explanations about the language of pain, or the lack thereof. In the context of early modern anatomical studies, Scarry's arguments are helpful in understanding notions of agency on the part of the dissected, who, by not having a voice to express the emotional, physical, or spiritual pain that they experienced, remained silent and passive. As such, as historians we only hear the

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76. Michel Foucault, *Discipline and Punish: the Birth of the Prison*; Elaine Scarry, *The Body in Pain*. Note that Foucault's work is arguably defective for lacking archival research and is largely based on philosophical analysis. For a "counter paradigm," see Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984).

77. Foucault, *Discipline and Punish*, passim.



exclamations of their familiars who may have cried out against punitive dissection. We especially hear the voices of the anatomists themselves and how they described the perceived pain of others. Since they themselves did not experience the pain, they could not confirm it even existed for the dissected. This allowed them the opportunity to assign their own preconceptions of the degree of pain that the dissected felt, or that felt by any one. Moreover, death silenced the person on the dissection table, and therefore the dissected could not defend his or her humanity. Their bodies could no longer register the pain, and they became passive corpses.<sup>78</sup> The subjectivity of pain, then, worked in anatomists' favor in manipulating discourses about the meaning of human bodies, and thereby influenced how they justified dissection. Ultimately, seventeenth-century English anatomists' views towards pain as it related to social status served as a significant phase in objectifying human bodies, acquiring a necessary inhumanity, and claiming martyrdom.

The artwork from anatomy texts portrayed the correlation between punishment and dissection and added to the infamy associated dissectees. Though the majority of anatomy texts came from Italy, English anatomists relied heavily on the same authorities, including Andreas Vesalius' *De humani corporis fabrica*. Jan Stephan van Calcar's woodcuts featured in Vesalius' text present strikingly vivid images of men leaning over scaffolds, nooses around their necks, all in agonizing pain from dissection,

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78. Ariel Glucklich, *Sacred Pain: Hurting the Body for the Sake of the Soul* (Oxford: Oxford University Press, 2001), 155. Glucklich broadly discusses the agency of corpses and pain here. For a more extensive discussion about pain in the early modern period, see Jan Frans van Dijkhuizen's *The Sense of Suffering: Constructions of Physical Pain in Early Modern Culture* (Boston: Brill, 2009).

dismemberment, and fragmentation (see Figure 2). The French anatomical treaty by Charles Estienne included similar depictions that not only connect punishment with

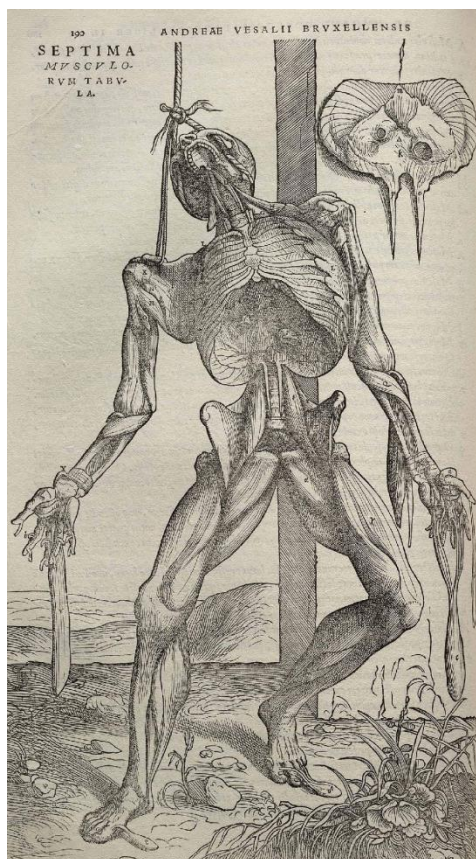


Figure 2. Jan Stephan van Calcar, in *De Humani Corporis Fabrica* by Andreas Vesalius. Basel, 1543, pg. 190.

dissection, but also humiliation and shame from the public spectacle. One should keep in mind that the artists of the anatomy genre relied on actual dissections. And, in their creative processes, the artist too objectified the body, removing any sense of identity that the material was once a living person. Moreover, for the dissected, anatomy art immortalized public humiliation, shame, and dishonor associated with dissection and was yet another extension of punishment. When William Hunter told the artist working with

him in studying female uteri to draw them as true to their nature, the artist may have kept secret the identity of the malefactor, but he did not stray away from portraying the woman's extremities amputated with exposed flesh, bone, and fluids. Anatomy art such as this added to the objectification of the body by legitimizing anatomies, but it also showed that not *all* bodies were violable for the punishment of dissection, only the corpses of criminals whose pain endured after death on the dissection table, the spectacle of their punishment immortalized by art.

These anatomical discourses proved persuasive since dissectors or those interested in the practice formed a symbiotic relationship with lawmakers. Relying on criminal bodies legitimized dissection primarily because of the marginal status that anatomists assigned to both the executed transgressor and to themselves in relation to the former. However, by the end of the seventeenth century, although the state granted several criminal bodies designated for anatomical studies each year to Oxford and Cambridge Universities as well as the Company of Barber-Surgeons and College of Physicians, anatomists did not limit themselves to the number legally sanctioned to them. This became especially true when in 1662 the Royal Society was issued a set number of executed criminals per year, leading to greater competition for these cadavers. Added to this, dissectionists conducted several anatomies outside of the crowded lecture hall that satisfied the requirement for medical students. They often held anatomies in their domiciles for private dissections, whether for personal research or for more intimate and hands-on purposes for students. Though great, the exact number of private anatomies

remains unknown, but the point is that dissections took place with cadavers acquired numerous times beyond the legal quotas.

The competition continued to increase from the late-sixteenth century onwards to the eighteenth century because the *overall* number of bodies available shrank, including outside anatomists' charters. In 1540, when Henry VIII awarded dissectionists four bodies from the gallows per year, around 560 executions took place at Tybrun during the last decade of his reign. A similar number occurred under Edward IV, but only 280 executions during Mary I's reign and a mere 140 for both Elizabeth I and James I's reigns.<sup>79</sup> These figures represent a decrease in capital convictions, and especially for this context, an even smaller pool of violable bodies for anatomists to claim for their studies.

As such, to satisfy their needs, anatomists paid executioners and undertakers for additional cadavers and in many cases literally fought for them since the state considered itself ambiguous the transaction that took place at the gallows. Records from the Company of Barber-Surgeons shows that the beadle, the person responsible for procuring freshly executed dissectable bodies, received compensation for the beatings he suffered at the hands of the execution crowd trying to protect the felons' bodies.<sup>80</sup> Additionally, the Company reimbursed the beadle for providing Christmas presents to the executioner, thus securing a business relationship for an increasingly popular commodity (i.e., the

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79. Sawday, *The Body Emblazoned*, 56.

80. Sidney Younge, *Annals of the Barber-Surgeons of London* (London, 1890), 102 and 301.

dissectable body).<sup>81</sup> The beadle of the College of Physicians earned a substantial payment of three shillings and four pence by 1690 for each dissection that took place at the College. This sum clearly indicates that the legal supply was inadequate to satisfy the demand.

The decreased supply and greater competition meant that anatomists would have to pay higher prices for cadavers obtained outside the licit provisions, and it would also mean that dissectionists resorted to drastic measures: stealing corpses. Although the sensationalized records of “sack 'em up men” largely took place in the nineteenth century, the practice of anatomists hiring others to exhume graves of the recently interred began in the seventeenth century. Proper regulation of dissections supply became recognized, so that anatomists began collaborating with members of Parliament, or at least attending sessions, to demand a larger supply and means of dissectable criminal bodies. Their endeavors, however, came in the form of proposed legislation, which continued to revolve around medicine, not criminal law, despite having their language riddled with class associations and blatantly suggesting dissection be codified as punitive.

Anatomization of criminals associated dissectors with the hangman, resulting in yet another precarious assault on their reputations. However, as members of Parliament grew increasingly concerned with a perceived rise in crime along with recognition of anatomists' work, Parliament repaired anatomists' reputations within high-culture communities by building on the scientific discourse that anatomists performed necessary tasks for the greater good. In cutting up criminals' decaying remains and preventing

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81. Sawday, *The Body Emblazoned*, 60.

proper interment, dissectionists carried-out a supplementary form of punishment for the state. On the one hand, since popular culture considered the practice as a great assault on the body and social memory, the state failed to heal the social body and thereby worsened dissectionists' public perception. As such, the original discourse that concerned pain and status as attributed to one's soul, the matter of death that regular folk feared mattered more; honor, not pain, transcended death. Ultimately, the official regulations to set aside a certain number of criminals for dissection is best understood with the backdrop of dishonor and shame that dissections entailed and the Murder Act which appropriated such notions.

## CHAPTER TWO

UNITING IDEAS OF PUNISHMENT, DEATH, AND INFAMY WITH DISSECTION:  
THE 1752 LEGISLATION AND LEGAL DISCOURSES

On Friday, 15 November 1751, the House of Lords dutifully honored and responded to one of King George II's opening addresses with the following statement:

We acknowledge, with all Thankfulness, the Paternal Regard which Your Majesty has shewn for Your People, in publickly declaring Your just resentment against those audacious Crimes of Robbery and Violence, which, in Defiance of the Laws, are now grown to such Excess, particularly in this Part of the Kingdom. We look upon them as a real Nuisance and Dishonour to the Nation; and the Increase of Irreligion, Idleness, Gaming, and all kinds of Licentiousness, has long been lamented by all good Men, as the unhappy Source of this and many other Mischiefs. All considerations, both religious and political, call upon us to put a Stop to these growing Evils; and nothing shall be wanting on our Part, to enforce and strengthen the Laws for punishing and suffering all such wicked Practices, and to prevent and remedy the pernicious Causes of them. Permit us, at the same Time, to give Your Majesty the strongest Assurances, that we are zealously determined, in all our Deliberations, to contribute every Thing in our Power, to the Security and Quiet of Your Majesty's Government, the Happiness of Your People, and the Glory of Your Reign.<sup>82</sup>

Having been recommended “in the most earnest Manner, to consider seriously some effectual Provisions to suppress those audacious Crimes of Robbery and Violence . . . which has of late extended itself, to the Dishonour of the Nation,”<sup>83</sup> members of Parliament formed a special committee designated to investigate the state of criminal laws and offer viable solutions to its many shortcomings. As a result, they formulated

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82. *The Humble Address Of the Right Honourable the Lords Spiritual and Temporal In Parliament assembled, Presented To His Majesty On Friday the Fifteenth Day of November, 1751. With His Majesty's Most Gracious Answer* (London, 1751), 4.

83. *Journal of the House of Lords*, 27 (1746-1752), 3.

several bills whose origins lay in this address. No longer troubled with the realm's involvement in wars on the continent, the Committee of 1751 was comprised of several leading members of Parliament, including Prime Minister Henry Pelham, Lord of the Treasury George Lyttleton, then Paymaster General William Pitt, Secretary of War Henry Fox, and parliamentary member Sir William Yonge.<sup>84</sup> Acting with the House of Commons, they also were charged to “revise and consider the laws in being, which relate to felonies, and other offenses against the peace; and to report their opinions thereupon, from time to time, to the House, as to the defects, the repeal, or amendment of the said Laws.”<sup>85</sup>

The Murder Act, finally enacted in March 1752, largely derived from the Committee's efforts to reform criminal legislation. Designed to amplify the existing punishment for murder and intensify the “otherness” of the criminal, the statute provided judges with a means to differentiate the crime of premeditated murder from manslaughter and sufficiently provide supplementary posthumous punishments of offenders that formerly required executive orders. Additionally, if convicted, murderers’ waiting time in jail between trial and execution was meant to be much quicker so that rather than weeks

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84. *Journal of the House of Commons*, 26 (1750-54), 27. There remains some debate surrounding the legal influence of Henry Fielding (d. 1754), who was not a member of Parliament, but rather a successful novelist and political commentator. Until the 1970s, historians placed him at the forefront in discussing penal reform and the Committee of 1751, including the Murder Act. For a contrary and persuasive argument against Fielding's ability to potentially influence Parliament in this regard, see Hugh Amory, “Henry Fielding and the Criminal Legislation of 1751-2,” *Philological Quarterly* 50:2 (1971), 175-192.

85. *Journal of the House of Lords*, 27 (1746-1752), 27.



they were hanged within two days, and during that time they sat in solitary confinement and could only imbibe bread and water. The routine by which courts sentenced murders also shifted so that sentences were “pronounced in open court immediately after the conviction of such murderer, and before the court shall proceed to any other business.”<sup>86</sup> These aspects represent the reforming spirit of the nineteenth century in terms of both substance and enforcement, as well as the removal of public punishment and move towards its privatization by adding greater shame to time in jail and courts rather than on the execution scaffold in the middle of large, often sympathetic, crowds. However, in sending condemned murderers’ bodies to Surgeon’s Hall, the Murder Act contradicts the reform attitude to come and appears as a continuation of the exacerbating the Bloody Code.<sup>87</sup> Yet the reliance on capital punishment provided eighteenth-century society with a vivid and universal source of information about justice.

In 1948, Leon Radzinowicz, claimed himself as the first scholar to explore English legal history and published eight massive volumes tracing the rise of the modern English criminal legislation that moved away from the eighteenth century's Blood Code. In his ambitious works, Radzinowicz posits that, while the Murder Act like all other statutes enjoyed at least some public support, it appears anomalous according the time period that lawmakers wrote it into law because it failed to represent the spirit of reform

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86. 25 Geo. II 37, 3.

87. The Blood Code came to be known as such because of how the legal structure became so dominated by an incredibly vast capital code. In 1668, nearly 50 offenses carried execution, but by 1815, nearly 225 crimes resulted in the penalty of death. See Frank McLynn, *Crime and Punishment in Eighteenth-Century England* (London and New York: Routledge Publishing, 1989), ix.

and, instead, signified a draconian punishment. If anything, according to Radzinowicz, the Murder Act was a product of opposing penal philosophies within the Committee of 1751. Analyzing the scientific record illustrated that this is a problematic assumption, but so also does the history of criminal law in England from the sixteenth through eighteenth century. The Murder Act indicates a significant historical continuity, which when viewed only in terms of the shifting attitudes for legal reform, certainly may seem out of place. However, compounded with the rise of private anatomy schools and a subsequent increase in demand for cadavers, the relationship between dissection and a language of punishment overrode the reform spirit that characterized the eighteenth century, at least in 1751/52. Moreover, as discussed in this chapter, the Murder Act is not anachronistic since it manifested from legal petitions brought to Parliament a few decades earlier as well as from the many commentaries suggesting that anatomists should dissect murderers for their transgressions against society.

J.M. Beattie more accurately argues that the Murder Act reflected a “march of science,” in that the law allowed for a more steady and legal supply of cadavers for surgeons and anatomy schools. He points out that, in 1755 the suggestion of combining science with terror was proposed in the *Gentlemen's Magazine* for convicted murderers to not be hanged at all but instead be immediately handed over to surgeons for “such experiments as can only be made upon a living subject.”<sup>88</sup> Additionally, Jonathan Sawday analyzes the Murder Act as the performance of a public service in allowing for the

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88. *Gentlemen's Magazine*, 25 (1755), 295. Quoted in J.M. Beattie, *Crime and the Courts in England*, 78.

prospect of greater deterrence for murder while satisfying anatomists' demand for a larger, licit supply of *corpora mortua*. In fact, this is a fair assessment because surgeons not only contributed to the idea that murderers ought to be dissected as part of their punishments, but they also directly aided the legislature to promote a secondary terrifying death sentence. Although their efforts to petition for a larger supply generally failed, the language of the Murder Act demonstrates the cultural and political landscape of the time; the Act and the discourses surrounding it primarily serve as evidence of the widening gap distancing elite and popular discourse of science, punishment, and atonement. Within the legal framework and expressions of crime and punishment, for the state the dissected murderer represented the remnants of deviant will, while the act of dissection signified a means of excising a threat to the social fabric of society, organically, and socially. Such a dishonor was meant to be at the heart of amplifying punishment, and the center of this issue remains embedded in how dissection conflicted with ideals of the afterlife, in particular it challenged expectations of bodily resurrection.

Influential opinions about the nature of criminal bodies and exemplary punishment are found in the journal records from the House of Commons, in which men from the same circles support a discourse shared with those with an interest in science. Before the Murder Act, dissection of condemned criminals was allowed but with limitations in terms of numbers and to magistrates was not considered a punishment. Instead, the crime a malefactor committed remained irrelevant, making the quota to satisfy charters more important. With increasing upper-class opinions that death and public execution failed to differentiate crimes so that the punishment for murder was

equal to robbery, the issue of violability of bodies resurfaces in legal and scientific discourses. Much of this may be due to anatomists' role in attending parliamentary sessions and having friends in high places.

In 1720, a statute was proposed that later was entitled *An Act for the better Viewing, Searching, and Examining all Drugs, Medicines, Waters, Oils, Compositions, used or to be used, for Medicines*. For decades, the Royal Society and Royal College of Physicians attempted to gain a monopoly over the enterprises of apothecaries and others who sold folk medicines, and this proposed statute was intended to tighten licensing practices within the legislation from 1511 Medical Act. Primarily known as an antiquarian, the anatomy enthusiast William Stukeley (1687-1765) attended some of the discussions of what he called the Physicians Bill.<sup>89</sup> Stukeley had a vested interest in the bill as medical man with a prestigious history. In 1717, he was admitted as a member of the Royal Society and in 1719 into the College of Physicians. In his diary, he noted when he served as anatomy reader as well as dissectionist, which occurred at least once each year.<sup>90</sup> He even “dined at Surgeon’s Hall at the Anatomie Lecture” in May 1722.<sup>91</sup> After the bill passed the House of Commons in 1723, it went to the House of Lords in April 1724, when Stukeley attended the House of Lords to support the Physicians Bill with other members of the College of Physicians. There, violent debates ensued, not in regards

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89. William Stukeley, *The family memoirs of the Rev. William Stukeley, M.D.: and the antiquarian and other correspondence of William Stukeley, Roger & Samuel Gale, etc., Volume 1* (London: Surtees Society, 1882), 73.

90. Ibid., 62, 65, 66, 72.

91. Ibid., 66.

to regulating licensing, but the stipulation enabling the College and University of Cambridge to take executed murderers for dissection.

Stukeley noted that the Duke of Argyle and Lord Hay fiercely opposed the bill and “neglected no opportunity of obstructing it.”<sup>92</sup> Lord Townsend, however, noted that the anatomy clause also spoke against it, and wondered how the clause was foisted into the bill, and that “it was a subject not to be nam’d in the House of Lords” because “the mob show’d a merciful disposition in hindring [sp] dissections.”<sup>93</sup> The House of Lords finally agreed to pass the Physicians Bill without the anatomy clause, however, the bill was either tabled without mention or was completely forgotten about as it went nowhere until 1748 when Sir William Calvert “presented to the House, according to Order, a Bill to revive, explain, and amend the Act.”<sup>94</sup> The ideas embedded in it that suggested a codification of dissection for murderers in 1724 with the influence of anatomists is striking, especially because a few decades later parliament accepted the anatomy clause as a bill unto itself as the Murder Act.

During the eighteenth century, others were less concerned with advances in natural philosophy than with protecting laws. At the time, English elites perceived an increase in crime rates, such an increase that execution appeared to be an inadequate deterrent for serious crimes. At the center of the debate stood the issues of whether the

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92. Ibid., 74.

93. Ibid.

94. *Journal of the House of Lords*, 20 (1722-1727), 325-326; *Journal of the House of Lords*, 27 (1746-1752), 617.

public rituals of punishment and the scaffold were effective and that the carnivalesque nature of the crowds there actually weakened the power, or at least perception of power, of the state. While some historians argue that public executions constituted symptoms of weak government, others claim that these executions sprang from an intention to produce terror and fear so that the onlookers would be afraid of a similar fate. All public executions were “exhibition[s] of extreme physical suffering: the specter of pain and death was calculated to overawe the population.”<sup>95</sup> Added to this, hanging alone appeared as an ignoble punishment: one dangles until the noose effectively asphyxiates, and with eyes bulging and blue in the face, the criminals foul themselves with their own excrement and vomit. However, hanging days illustrated to elites that capital punishment required amplification. As Thomas Lacquer contends, the festive nature of executions subverted the exemplary aspects meant to be embedded in public punishments, and the disruptions of the crowds seemed to threaten the presence of the state.

Some intellectuals had already attempted to address this issue in the early part of the eighteenth century, which reflect various stipulations within the 1752 Murder Act. For instance, in 1701, an anonymous writer published a pamphlet entitled *Hanging Not Punishment Enough, For Murtherers, High-Way men, and House-Breakers*. Written to Parliament, the author maintains that as “between the Natural and Politick Body, it may be well if our Legislators would proceed in the same manner that the Physitians do, who remove some particular Distempers by rectifying the whole Mass of Blood.” The writer

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95. Randall McGowen, “The Body and Punishment in Eighteenth-Century England,” *Journal of Modern History* 59, no. 4 (1987): 651.

lays out his point immediately for why Parliament should remove figuratively diseased members of the body social:

MY Opinion is, That our present Laws that relate to Murtherers, High-way Men, and Housebreakers, are too favourable, and insufficient for the End they are intended. I fear not to say too favourable, even tho' they extend to Death; since that Death the Law enjoyns, is found unable to deter 'em. Were it not so, our Roads would not be so pester'd with that wicked Generation of Men, nor our Sessions-Papers Monthly, and the Publick News daily full of so many Relations of Robberies and Murthers.<sup>96</sup>

The author argues that while crime had increased, it had also become more incurable because the law (and law makers) had grown too merciful. After discussing ancient Roman punishments, he suggested that society should not deem such torments as unreasonable. Punishment should not exceed the fault, he argues, but if a person is rightfully and truthfully convicted, that criminals, especially murderers, should receive quick and harsh punishment in the same manner they seem to have committed the crime: mercilessly and violently.<sup>97</sup> For instance the author writes:

I must beg leave to say, that they who shew no mercy should find none; and if Hanging will not restrain them, Hanging them in Chains, and Starving them, or (if Murtherers and Robbers at the same time, or Night-incendiaries) breaking them on the Wheel, or Whipping them to Death, a Roman Punishment should.<sup>98</sup>

In his opinion, the early eighteenth-century English judicial system failed to properly punish felons which did not incline the general populace enough not to commit the same crimes, wishing that "Goal-deliveries were more frequent," especially since many

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96. Anonymous, *Hanging Not Punishment Enough, for Murtherers, High-Way Men, and House-Breakers* (London, 1701), 2.

97. Ibid., 19.

98. Ibid., 4.

sentences were not carried out until after several months or they were lowered significantly thanks to flattery or money.<sup>99</sup> However, anyone, no matter their wealth or prestige, who breaks the King's Peace, "and it may be, murders me at last, and burns my House, deserves...to feel himself die."<sup>100</sup> While this reflects the author's concern over property rights, he is affected primarily at the personal level on the receiving end of the crime, as he asks for the law to protect and reward him for not breaking King's Peace and to severely punish transgressors. Ultimately, he justifies punitive violence for heinous crimes to protect the injured party. Evoking biblical scripture, he states "since it is an express Law of God, That who so sheds man's blood, by man shall his blood be shed, Gen.9.6," which suggests that the writer thinks all murderers, even if convicted for manslaughter, should receive just punishment to compensate those offended and who grieve for the murdered. Furthermore, Anonymous contends that hanging lacks a deterrent effect, so that "some have been so fool-hardy, as to go fearless and ranting to the Gallows, not in the least concern'd at the approach of Death." However, "they would hardly do so, were they carrying to the Wheel, where the Pains of Death would be so often repeated, before they would expire,"<sup>101</sup> thus reiterating the need for a supplementary and more exemplary punishment than simply death.

Aside from calling for a swifter and severe punishment, the anonymous writer calls for others stipulations found fifty years later in the Murder Act. For instance, he

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99. Ibid., 21, 5, 16-17.

100. Ibid., 6.

101. Anonymous, *Hanging Not Punishment Enough* (London, 1701), 16.



argues that “it were not amiss, if after Condemnation they [criminals] were allowed nothing but Bread and Water; a good way to humble them, and bring them to a sense of their Condition, as to a future state.”<sup>102</sup> The purpose of a swifter execution meant that the jails would be less crowded and that any appeals processes could be negated.

Additionally, eating only bread and drinking water was meant to be simple accommodations to increase the misery of transgressors and so that they suffered more.

In 1725, Bernard Mandeville, a Dutch-born philosopher, wrote *Enquiry into the Causes of the Frequent Executions at Tyburn*. Mandeville considered himself a “doctor of society,”<sup>103</sup> and, as such, expressed his concern in this pamphlet regarding the jovial mood and theatrical nature of hanging days and that such an atmosphere ineffectively prevented future transgressions performed by the onlookers. Mandeville also observed the crowd’s resentment towards the surgeons present at the hanging tree who would legally acquire, beg, or buy the bodies of the executed. Most of Mandeville’s piece described the hanging of Jonathan Wild, a famous highway man convicted and sentenced to hanging at Tyburn. The crowd only enhanced the bond it felt with Wild as they feared his body would be placed on the dissection table to be anatomized. Mandeville went on to state that the study of anatomy would be impossible without skillful dissection of human beings even if through an inadequate supply of executed criminals. But, for the “scum of people... to be dissected can never be greater scandal than being hanged... Where then

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102. Ibid., 22.

103. Porter, *Flesh in the Age of Reason*, 143.

shall we find a readier supply; and what degree of people fitter for it” than malefactors?<sup>104</sup>

Mandeville’s suggestion of the codification of penal dissection as a crime deterrent as well as a means to satisfy anatomists became the most widely read argument. A death sentence that encapsulated one of society’s most feared acts of violence acted as the ultimate crime deterrent. Here one can see that, not only does Mandeville acknowledge popular discourse on dissection, but he also does not seem to think that it affected any person of higher status. Only scum, rogues, and people of the lower echelons of society committed such atrocious crimes against society anyhow. Thus, dissection of criminals suggested a public good: it would decrease the number of criminals because of its exemplary force and help the advancement of science. It is unknown if Mandeville thought that dissection of his body would have prevented his soul from resurrecting, but it seems clear he understood that malefactors at the scaffolds significantly feared human dissection because they could not have the opportunity to be resurrected as promised by a Christian burial.

In 1751, Charles Jones published a pamphlet entitled *Some Methods Proposed Towards putting a Stop to the Flagrant Crimes of Murder, Robbery, and Perjury*. Jones’ work resembles that of Mandeville’s primarily because Jones offered the same solution for the state to prevent heinous crimes. Jones asserted that other country’s executions

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104. Mandeville, 27.

were less frequent than in Britain because “they do it with great severity.”<sup>105</sup> Moreover, Jones suggested that “there can be no reason assigned, why an offender legally and plainly convicted of a crime that carried horror in its perpetration, should not suffer most acutely in the flesh, to caution others from following his dreadful example.”<sup>106</sup> One year after the publication of Jones’ pamphlet, Parliament enacted the Murder Act of 1752, giving judges the opportunity to order dissection or gibbeting after the hanging of the felon. Anatomization, viewed as a “peculiar popular horror,” outranked the possibility of the gruesome and humiliating experience of being hung in chains through gibbeting.<sup>107</sup> As corporal punishment by quartering, hanging, and gibbeting proved no longer efficient as visual deterrents to inhibit crime in early modern England, intellectuals, philosophers, and legal writers began to suggest alternative methods. When *Hanging not Punishment Enough* appeared anonymously in 1701, its author acknowledged that Parliament exuded the “power and wisdom... [to]...regulate and reform” the masses and that the legal system too liberally favored criminals, though punishment usually ended with death.<sup>108</sup> Even the spectacle of public shaming through hanging did not adequately deter crime, especially since the onlookers tended to experience a bond with the to-be-executed criminals.

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105. Charles Jones, *Some Methods Proposed Towards putting a Stop to the Flagrant Crimes of Murder, Robbery, and Perjury* (London, 1751), 8.

106. *Ibid.*, 14.

107. 25 Geo. II c.37. See also McLynn, *Crime and Punishment in Eighteenth-Century England*, 273.

108. *Hanging Not Punishment Enough*, 1.

Public executions remained central events in the life of eighteenth-century London and they represented a principal tool in the administration of the law that governed it. The frequency which executions occurred, increasing over the course of the century, was a fundamental concern of all those who wrote on crime. Conservatives viewed the public execution as chaotic and a contemporary form of the ills of a new dissolute society. Radicals saw in it the barbarity and irrationality of an old and obsolete justice system. The agitation in the first half of the eighteenth century for an alteration in the form of execution that might increase its terror and thus reduce the need for its frequency bore fruit in the Murder Act. However, the provision of the Murder Act for heightening the fear of the malefactor while preserving the crowd's participation in his death embodied a compromise that acknowledged the need for some kind of change as well as the traditional communal aspects of hangings.

The paradigms of the public execution were those held two to three weeks after conviction. Until 1783, when the site of the hanging was moved to outside of Newgate prison, the execution preceded the condemned's procession through the streets of London en route to Tyburn Tree, which stood three miles away at the northeast corner of Hyde Park. According to elites, hanging day was treated like a holiday, and it furnished a spectacle of the thronging crowd as much as of the condemned. The malefactor typically made his way slowly through the large and boisterous crowd, chatting along with friends and stopping for drinks at taverns along the route. The crowd could act violently antagonistic towards the prisoner if his crimes had been particularly heinous, but generally they acted sympathetically yet irreverent.

The notion of the execution as a public spectacle made possible by both the state and its subjects was too deeply embedded in the pantheon of common rights to be quickly abandoned. It had long been considered an essential tool for presenting morality tales and for graphically representing the majesty and might of the law, but it had also acquired the status of a facet of England's transparent legal process. There was a widespread belief that if the hanging was performed out of the public view, rich offenders would be able to pay for someone to take their place in the noose, and that ordinary victims might be denied the rights of last prayers and a quick death. Samuel Johnson voiced this sentiment when he lamented the abolition of the procession to Tyburn in 1783: "The old method was most satisfactory to all parties; the publick was gratified by a procession; the criminals was supported by it. Why is all this to be swept away?"<sup>109</sup> The answer to Johnson's query explains a great deal about the concerns that animated the government's policies on crime and punishment. Moving the gallows to Newgate had little to do with the crowd's support for the criminals and dealt with its unseemliness and inconvenience. The permanent gallows at Tyburn had been replaced by a portable scaffold in 1757 to accommodate the increased traffic in the area, and the 1783 move was spurred by petitions on behalf of elites living there who resented the disruption caused by the crowds.

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109. Quoted in V.A.C. Gatrell, *The Hanging Tree: Execution and the English People 1770-1868* (Oxford: Oxford University Press, 1994), 37.

The cause to reform criminal legislation also came from the perception that ideological control of Tyburn executions had slipped away from the state's hands.<sup>110</sup> By the middle of the eighteenth century, the only thing thought likely to restore the air of solemnity and righteousness to the public execution was to place such fear in hearts of transgressors for their posthumous mistreatment, which would consequently awe the crowd. Additionally, the specific application of the Murder Act to murder was no accident and suggests that the defenders of a dying ideological regime were trying to muster their last tool for uniting an adversarial populace behind the law through combining notions of shameful deaths with the ignominy of execution. However, as much as the writers of the Murder Act hoped for such, the public reaction to the law and its stipulations resulted in something quite different.

The Murder Act clearly was not born out of a vacuum, as legal and elite writers had engaged in a discussion of many of the act's tenants throughout the first half of the eighteenth century. Ultimately, the state utilized the 1752 statute as a means to intensify the effects of capital punishment by applying the popular discourse about human dissection in preventing proper interment as suggested by the various early eighteenth-century writers who, at least to some extent, seem to have impacted this state legislation of penal reform. In essence, the Murder Act institutionalized punitive dissection as a *de jure* punishment which previously had been a *de facto* supplementary posthumous punishment. As Chapter One demonstrated, the practice of dissecting marginalized bodies had been an established practice, and the phrasing of the 1752 statute clearly

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110. J.M. Beattie, *Crime and the Courts in England*, 526.

shows that its passage represented a simple formality of regulation. Dissectees and gibbetees merely were sentenced for the crime of murder “in the same manner as is now practiced for the most atrocious offenders.”<sup>111</sup> Jonathan Sawday states that the Murder Act spread the net even wider, allowing the state to place supplementary punishments on *more* transgressors. While this appears true, by limiting punitive dissection to murderers the Act limited the types of punishable crimes. Suicides, as self-murderers, still applied to the category of murder types, however, foreigners, unclaimed bodies, or just those whose bodies anatomists purchased remained left out in the language of the statute. This shows that, in addition to codifying an existing practice, the passage of the Murder Act demonstrates an elite concern over the ineffectiveness of capital punishment as a potent deterrent for social transgressions and murder specifically. To them, execution for murder was not enough, and the energy spent on punishing lesser crimes was inefficient.

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111. 25 Geo. II 37, 2.

## CHAPTER THREE

## WORSE THAN DEATH: DISSECTION AS ANNIHILATION

For many early modern English people, if their cadavers were dissected, one's physical, social, and especially spiritual fate was worse than death itself. In other words, to them, anatomization denied any sort of survival.<sup>112</sup> As part of an agenda to add “a greater mark of infamy,” writers of the Murder Act of 1752 appropriated this as well as popular ideals of a “bad” death.<sup>113</sup> This chapter seeks to juxtapose the stipulations of England's Murder Act of 1752 with popular discourses on what people considered a “bad” death to shed light on how the law fostered a perpetuation of elite discourses that purposefully marginalized criminals and, ultimately, destitute peoples' bodies. It utilizes a variety of primary texts, including the Murder Act of 1752, religious texts that prescribed a “good” death, and “last dying speeches” that were published on broadsides, written in the Ordinary's Accounts, or the Old Bailey Sessions Papers. Also known as gallows speeches, these cheap broadside prints were sold by the penny. In them were a criminal's supposed last words, which serve as a good window on the cultural values of the masses in early modern England.<sup>114</sup> However, they do not come without difficulties

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112. Sugg, *Murder After Death*, 19; V.A.C. Gatrell, *The Hanging Tree*, 74-5 and 80.

113. 25 Geo. II, c.37.

114. Tessa Watt, *Cheap Print and Popular Piety, 1500-1640*, 5; Elizabeth Eisenstein, *The Printing Press as an Agent of Change* (Cambridge: Cambridge University Press, 1980), passim; Peter Linebaugh, *London Hanged: Crime and Civil Society in the Eighteenth Century* (London: Verso, 2003), xxi.



for historians. Sometimes “last dying speeches” magically appeared in the scaffold-crowd's hands before the execution and contained both didactic and sensationalized prose. Nonetheless, they offer several underlying themes about the rituals and attitudes of death in one's final moments particularly for what was expected of social transgressors.

Since the early-seventeenth century, as part of an effort of the city of London to provide religious services to criminals at Newgate prison in hopes of reforming criminals, a full-time chaplain was appointed to read daily prayers and preach on Sundays, holidays, and at least one weekday each week.<sup>115</sup> Popularly known as the Ordinary of Newgate, the priest also attended to all condemned prisoners, and through wandering about the prison walls, he learned about their lives and their thoughts as they suffered their last fleeting days alive. Ranging from 1662 to 1772, the Ordinary's Accounts of Newgate provide a unique source of knowledge of the poor people about to be hanged because several Ordinaries wrote biographies of the condemned, their thoughts in jail before execution, and their scaffold speeches.<sup>116</sup> The Ordinary's Accounts, too, held moralizing purposes for readers of the time; however, they offered felons a chance to tell their side of the story and illustrate their repentance—indeed display their personal agency in achieving a “good” death. Finally, the Old Bailey Sessions Papers provide some information about

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115. W.J. Sheehan, “Finding Solace in Eighteenth-Century Newgate,” in J.S. Cockburn, ed., *Crime in England, 1550-1800* (Princeton: Princeton University Press, 1977), 235.

116. “The Ordinary's Account of Newgate” (London, 1662-1772). Also, see Peter Linebaugh, “The Ordinary of Newgate and His Account,” in J.S. Cockburn, ed., *Crime in England, 1550-1800* (Princeton: Princeton University Press, 1977), 246-70, and J.A. Sharpe, *Judicial Punishment in England* (London: Faber and Faber, 1990), 33-4.

the demeanor and words of transgressors at trial. All of these sources have their challenges, but nonetheless, they help discover the popular discourse of death and final moments of those to-be-hanged, including malefactors' fears of human dissection and annihilation.

While Ruth Richardson's *Death, Dissection, and the Destitute* and Richard Sugg's *Murder After Death* both discuss the Murder Act from a cultural standpoint in regards to popular fears of dissection, neither fully discuss the relationship of popular death discourse of a “good” death in this context. The scholarly deficiencies are thus addressed in this chapter to illustrate the contrarian attitudes that influenced popular dissent towards anatomies of criminal bodies and how the Murder Act purposefully amplified that dissent by means of appropriating cultural attitudes of “good” or “bad” deaths. Though not in direct discussion of the Murder Act, Vanessa Harding’s research, particularly from *The Dead and the Living in Paris and London*,<sup>117</sup> significantly informs the methodology of this chapter and its understanding of the status of the dead and their proper treatment according to the living. Largely influenced by Philippe Ariès, Harding explores the early modern practices surrounding death and burial in London and Paris and addresses the capricious status of the dead that created discord as well as solidarity within communities of the living. Additionally, Clare Gittings, in *Death, Burial, and the Individual in Early Modern England* (1984), poses that Parliament's only concern and only purpose on enacting the Murder Act was to amplify the deterrent effects of the death penalty as a

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117. Vanessa Harding, *The Dead and Living in Paris and London, 1600-1670* (Cambridge: Cambridge University Press, 2002).

punishment for murder.<sup>118</sup> Despite this, her work as well as Ralph Houlbrooke's *Death, Religion, and the Family 1480-1750* (2000) in conjunction illustrate the cultural customs that assigned various meanings to the dead, their lives and deaths, and how the living's memory contributed to whether a death was "good" or "bad."

Ideals of *ars moriendi* served as means by which society healed when death interrupted communal cohesion. Contradictorily, the Murder Act amplified a "bad" death. Moreover, it perpetuated an elite discourse of death and status that marginalized "inferior" *homines defuncti* in denying funerary and burial rites. To the popular mind of many early modern English people, if their cadavers were dissected, the physical, social, and especially spiritual fate was worse than death itself because anatomization denied any sort of survival.<sup>119</sup> Ultimately, popular culture considered human dissection worse than death, indeed a "bad" death, because, firstly, it caused severe emotional duress so that it was difficult to face death. Secondly, anatomization banished the criminal from the social body by stripping away his or her identity while releasing biological and spiritual contaminants. Thirdly, risking dissection of one's remains created risks for the possibility of resurrection through preventing a proper or decent interment. The Murder Act clearly appropriated these popular perceptions and discourses of death to deter crime, but also perpetuated the elite discourse that criminals and poor bodies were inferior if not subhuman.

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118. Clare Gittings, *Death, Burial, and the Individual in Early Modern England*, 74.

119. Sugg, *Murder After Death*, 19; V.A.C. Gatrell, *The Hanging Tree: Execution and the English*, 74-5 and 80.

Tracing the movement of criminal bodies from the scaffold to their final physical, social, and spiritual ends in light of the stipulations of the Murder Act helps recognize the relationship between the law's stipulations and the popular discourses they appropriated. Firstly, this chapter considers the discourse and role of redemption. For decades, to-be-executed criminals had the chance to redeem themselves at the scaffold by engaging in a dialogue of confession and absolution with onlookers,<sup>120</sup> but the Murder Act attempted to prevent this social method of healing. Secondly, this chapter analyzes the popular meaning of opening and fragmenting the human body. Therein lay issues of loss of identity in that anatomists objectified the person before them, stripped them of their names, status, and individuality. While an instrument of post-mortem torture, the scalpel also exposed the insides of bodies and served as a tool that released biological disease (gases, smells, putrefaction) and re-released social disease by allowing spirits, even ghosts to haunt the social body.<sup>121</sup> This served as a metaphorical means of banishment via dissection. Once anatomists completed their series of lectures, be it in days or weeks, what then did they do with the human remains? Discussed here is how dissection (and the Murder Act) prevented proper interment of one's body, which leads to the third category of analysis: resurrection. The churchyard served as the necessary place for burial, and, a

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120. Ruff, *Violence in Early Modern Europe*, 107.

121. Florike Egmond, "Execution, Dissection, and Infamy—A Morphological Investigation," in *Bodily Extremities: Preoccupations with the Human Body in Early Modern European Culture*, ed. Florike Egmond and Robert Zwijnenberg (Aldershot: Ashgate, 2003), 107. Also see Jonathan Harris, *Foreign Bodies and the Body Politic: Discourses of Social Pathology in Early Modern England* (Cambridge: Cambridge University Press, 1998) and Claire Carlin, *Imagining Contagion in Early Modern Europe* (New York: Palgrave, 2005).

marked grave readmitted a person into the social body.<sup>122</sup> Dissectees were denied proper burial and thus resurrection—indeed resulting in a sort of spiritual death—and anyone who tried to bury an anatomized criminal body, too, could be tried and punished.

Early modern English anatomists' reliance on freshly executed criminals as their legal supply of cadavers in order to carry-out dissection intersected with the state's attempts at excising criminals from the social body at the scaffold on hanging days. Before their hangings, however, criminals were given the opportunity to reconcile their social transgressions. As such, it is first necessary to examine the scene at the scaffold and malefactors' final moments before death.<sup>123</sup>

Juxtaposing medieval and early modern texts that prescribed a “good” death and last dying speeches, one finds that to-be-executed criminals attempted to die well, hoped for a decent burial, and engaged in a social ritual of reconciliation. Even those who lived a bad life could die a “good” death (and were thereby “saved”) as long as they focused their will on salvation by confessing their sins and willingly surrendered the fate of their

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122. Harding, *The Dead and Living in Paris and London*, 278. Harding posits that removal of a grave also relieved society from “polluting” criminal bodies. Also see M. Cox, ed., *Grave Concerns: Death and Burial in England, 1700-1850* (York: Council for British Archaeology, Research Report 113, 1998).

123. While England included the last dying speech in its scaffold ritual, the rest of Europe featured a variant of it, the *amende honorable*. Historians Petrus Spierenberg, Richard Evans, and Richard van Dulen relate the ritual to issues of state power, suggesting that the judicial spectacles and last words served as visible acts of repression, with the criminal providing a forced proclamation of humble submission to the state. See Katherine Adele Royer, “Rhetoric, Ritual, and Redemption: Narratives of Executions in Late Medieval and Early Modern England” (Ph.D. diss., Stanford University, 2002), 7-8.

souls to God without any despair. Evidence is found in *momento mori* literature, which describe proper preparation for death.

The *ars moriendi* texts that illustrated the “art of dying” written in the fifteenth century show the importance placed on the final moments before death in late-medieval Europe, including England. These provided instructions for the proper way to die a “good” death. Woodcuts depicted angels and demons fighting for the soul of the dying person, “perched like vultures about the deathbed” who threatened damnation.<sup>124</sup> Surviving Reformation simplicity and anti-ritual, *ars moriendi* texts showed continuities and similarities of Protestant and Catholic testamentary discourse primarily because, as David Cressy emphasizes, they served “deep-rooted social and familial needs.”<sup>125</sup> Through the theologies of salvation, the last moments before death served as chances for people to judge themselves and prepare for their “next” (spiritual) life by taking (physical) death “not wyth grutchyng but take it rather by all gladnesse.”<sup>126</sup> With great

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124. Richard Wunderli and Gerald Broce, “The Final Moment before Death in Early Modern England,” *Sixteenth Century Journal* 20 no. 2 (Summer 1989): 260 and 263; Gittings, 22. For a comprehensive discussion on the birth of *Ars Moriendi* texts, see Mary O'Connor, *The Art of Dying Well: The Development of the Ars Moriendi* (New York: Columbia University Press, 1966) and Nancy L. Beaty, *The Craft of Dying: A Study in the Literary Tradition of the Ars Moriendi in England* (New Haven: Yale University Press, 1970).

125. David Cressy, “Death and the Social Order: The Funerary Preferences of Elizabethan Gentlemen,” *Continuity and Change* 5 (1989), 99-119.

126. William Caxton, *Ars Moriendi* (Westminster, 1497), 3.

composure, acceptance, and true repentance, even someone who lived a sinful life could redeem his or her spiritual fate.<sup>127</sup>

Death was a much more obvious companion to life during the medieval and early modern eras in Europe, as ages of relentless reoccurring plague, high infant mortality, and an average life-span of 27 to 42 years (depending on one's social category). Throughout these centuries, the impact of death seemed less terrifying than it might today, as the prospect of an afterlife offered the hope of compensation for the likely brevity of earthly existence and the disruption of human relationships caused by death. In fact, as most human societies have denied mortality in varying measures, the Christian assertion of the immortality of the soul and the ultimate resurrection of the body constitutes the most fundamental denial of death. However, Christian soteriology of the time deemed that not everyone experienced or attained such spiritual rest, though their final moments—which determined if someone died a “good” or “bad” death—could assist in their heavenly ascension, even if they had an unhealthy soul due to an unholy life. Beginning in the fifteenth century, ideals of spiritual redemption during dying persons' last living moments resulted in an iconography of death<sup>128</sup>, and most important for this study, in literature devoted to the *ars moriendi*, or the art of dying, which dwell

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127. Ralph Houlbrooke, “The Age of Decency: 1660-1760,” in *Death in England: An Illustrated History* by Peter C. Jupp and Clare Gittings, eds. (New Brunswick: Rutgers University Press, 1999), 175.

128. See Phillipe Ariès, *L'homme devant la mort* (Paris: Editions du Seuil, 1977); *Western Attitudes toward Death: from the Middle Ages to the Present* (Baltimore: Johns Hopkins University Press, 1974). Ariès, the scholar who founded the historical field of study on attitudes of death and dying, considered death as a purely social construction.

repeatedly upon the need to welcome death and judgment and, thusly, provide instructions for a “good” death. This literary tradition became especially popular during the seventeenth century in England and was expressed in the form of books, woodcuts, ballads, and broadsides. As such, it reached a wide audience, both visually and orally prescribing guidelines for the appropriate mental framework before death.

The *ars moriendi* depicted the hour of death as a singularly dangerous ordeal, in which the Devil would try his utmost to drag the expiring Christian down to damnation, tempting one to fall into error or heresy against faith, despairing of hope in God,



Figure 3: “Ars Moriendi” woodcut by Antoine Verard. In Pierre Girard-Augry, *Ars moriendi ou l'art de bien mourir* (Paris: Dervy-Livres, 1986), pg. 76.

becoming impatient with affliction, being spiritually complacent out of prides, and growing preoccupied with worldly things, including one's family (see Figure 3).

According to Brad Gregory, “Failure to navigate temptation could mean shipwreck of the



soul, a sinking to the hideous and congested floor of Hell.”<sup>129</sup> This, coupled with the pain and discomfort of dying, demanded steadfast composure, achieved through clearing one's conscience through confession and taking the Eucharist, of which with a priest and family and friends assisted. The priest initiated performance of the last rites with an elaborate chain of prayers that included Extreme Unction, that is, the viaticum and commendation of the soul through the final administration of the sacraments of Penance and Communion. After the Protestant Reformation, Extreme Unction began to disappear, but the main outlines of the last rites survived successive liturgical revisions, although drastically simplified.

During the early modern period in England, even after the Reformation, many of these traditions continued to exist, although in many cases the rituals became rather diluted. The experience of final moments of atonement also continued to require specific criteria. Firstly, the dying experiences fear and before them “appeareth God Almighty's Indignation and fierce anger.” Secondly, one is urged that “reason shall set as Judge, and fear shall stand as Executioner . . .” unless one comes to “resolution.”<sup>130</sup> As such, the *ars moriendi* texts, such as John Hayward's, direct dying persons, or Moriens, to reason with themselves, which is characteristic of reformed theology. However, unambiguous judgment rested on admission of sins, which only then could Moriens have a clear conscience. This became especially important if the dying person was not afforded a

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129. Brad S. Gregory, *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (London and Cambridge, MA: Harvard University Press, 2001), 53.

130. John Hayward, *The Horrors and Terrors of the Hour of Death* (London, 1690), 7-8.

priest or chaplain at the final moments, so that Moriens could find and experience positive states of mind as their own religious authority and “divine comforter.”<sup>131</sup> For instance, in 1640, Robert Moore, a distiller, vainly hoped for recovery thanks to his doctor, so he postponed calling his brother, a clergyman, to visit him. At one stage of his illness, he complained that his anguish, misery, and pain were “worse than Job’s.”<sup>132</sup> Consequently, he attempted to drown himself but was unsuccessful. Yet, six hours before he died, he finally “sent forth” in his brother’s words, “three or four most divine prayers,” allowing him a sound end.

Also in the short time left, Moriens were encouraged to “spend as usual in Prayer, and recommending their Souls to God.”<sup>133</sup> Thomas Becon’s *Sicke Manne’s Salve* asked friends and family, in addition to pastors, to make their last farewells and encourage godliness in death<sup>134</sup>, while Jeremy Taylor’s *Exercises of Holy Living and Holy Dying* proposed incantation of various prayers to bolster courage and faith to fully confess, “not falter with temptation, and to face judgment with gladness.”<sup>135</sup> Contemplation of the last

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131. William Romaine, *The Knowledge of Salvation is Precious in the Hour of Death* (London: NP, 1759), 3.

132. Ibid.

133. “Ordinary of Newgate’s Account,” 22 September 1752.

134. Thomas Becon, *Sicke Manne’s Salve* (London: NP, 1561, 1625), 152. Becon also urged the living to take solace in that they will reunite with the dead upon Judgment Day. See also Peter Marshall, *Beliefs of the Dead in Reformation England* (Oxford: Oxford University Press, 2002), 219. From the death of purgatory and unsuccessful eradication of Catholic eschatology, to ghosts and funerary rites, Marshall’s book is a wonderfully detailed examination of English culture of death under and after the Reformation.

four things (death, judgment, heaven, and hell), as encouraged by the Church, served as a means of concentrating the mind upon the ordeal to come. An unhealthy soul, troubled with nagging sores, unhealed injuries, and the pernicious infection of sin would find the journey to heavenly bliss difficult, if not impossible. But spiritual meditation was always at hand; and although the dying might be reluctant to take it, a few moments reflection on the fleeting vulnerable nature of life on earth provided a powerful inducement: acceptance and courage. Such spiritual preparation could not be delayed because otherwise it could lead to spiritual folly.

Although traditionally associated with the scene of the deathbed, whether from old age or illness, the essences of *ars moriendi* texts are found in seventeenth- and eighteenth-century “last dying speeches” and the scenes of public executions. In light of a criminal’s final moments before death, last dying speeches represent attempts at “good” deaths and held the same requirements as people on their deathbeds who died “well” per *ars moriendi* texts. Despite the threat of hanging, soon-to-be-executed criminals, too, were expected to be prepared for their brave last moments as a means to enter the spiritual realm. Usually, the chaplains visited and counseled to-be-executed social transgressors several times before his or her execution for this mental and spiritual preparation, offering private prayers as well as collective prayers during required weekly sermons. On execution day, the Ordinary offered malefactors opportunities to confess and indulge in the Eucharist. Then, once it was time to make the procession to the

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135. Jeremy Taylor, *The Rules and Exercises of Holy Living and Holy Dying* (London: NP, 1651), 166.

hanging tree, criminals—guilty or innocent—were stripped of their common clothes so that they wore only a white gown or chemise. Carted through town for roughly two miles, they would stop in front of churches, at which time the to-be-executed pleaded for God's forgiveness and mercy.<sup>136</sup> Rather than apologizing to their individual family members as in the *ars moriendi*, the criminal-Moriens asked the townsfolk for forgiveness and admitting guilt both in the procession and especially their last dying speeches. This reflects the importance of social reprieve and making a “penitent end” as part of a good death. Otherwise, their deaths would seem cowardly and foolish, thus failing to meet social expectations. However, many seem to have repented long before their executions. For example, Elizabeth Caldwell, while waiting in jail before her passage to Tyburn for the attempted murder of her husband and subsequent accidental murder of a child, saw several visitors each day, “and such as she thought were viciously given, she gave them good admonitions wishing that her fall might be an example unto them.”<sup>137</sup>

Once at the scaffold, others continued to mentally prepare criminal-Moriens, as chaplains and onlookers asked characteristically *ars moriendi* questions to guide the malefactors to reaffirm their faith in God and willingness to face Judgment. Court judges recognized this as well, and also called for transgressors to recognize that they looked up to the heavens with fear or looked down upon the crowd with sorrow, hoping that they

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136. Hal Gladfelder, *Criminality and Narrative in Eighteenth-Century England* (Baltimore and London: Johns Hopkins University Press, 2001), 50; David C. Cooper, *The Lesson at the Scaffold: Public Execution Controversy in Victorian England* (Athens, OH: Ohio University Press, 1974), 5.

137. *A True Discourse of the Practices of Elizabeth Caldwell* (London: James Roberts, 1604), NP. Also see Frances Dolan, “‘Gentlemen, I Have One More Thing To Say’: Women on Scaffold in England, 1563-1680,” *Modern Philology* (Nov., 1994), 170.

“may gain pardon for sin...and heartily desire from God that your condemnation may not be death unto death, but rather a better life [after death].”<sup>138</sup> Finally allowed to broadcast their final speech, the condemned impressed upon spectators purposes and messages reminiscent of *ars moriendi*, and thus elicited a “good” death due to the crowds’ met expectations returned with sympathy for a penitent end.

To-be-executed criminals whose sentences included punitive dissection usually feared the threat of rope, but even more so what came after death, especially as the consequence of dissection disallowed for a “good” death in one’s final moment.<sup>139</sup> The Murder Act called for swift execution so that criminals did not have the time to mentally and spiritually prepare for death. However, those whose bodies would meet the anatomist’s scalpel suffered from such emotional pain that they may have wavered at the last moment of death. The crowd expected the social apology as part of the last dying speech, but one’s words and actions did not necessarily reflect actual fear if they felt it, not to mention the fact that these transgressors begged their familiars to protect their corpses from anatomists. In 1721, for instance, Martin Grey returned from transportation, resulting in death by hanging as punishment. His wife and uncle protected his body from anatomists since “he was greatly frightened lest his body should be cut, and torn, and

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138. Thomas Cooper, *The Cry and Revenge of Blood Expressing the Nature of Haynousness of Wilfull Murther* (London: NP, 1620), 52.

139. Aside from this piece and Peter Linebaugh “Tyburn Riots Against the Surgeons,” no other scholarship discusses this explicitly.

mangled after death.”<sup>140</sup> Such fear that Grey experienced threatened having a “good” death.

There is a consensus among historians that these pieces of *momento mori* literature about “dying well” prescribed, in England, inner faith as individual agency for support in facing death. Wunderli and Broce, for example, claim that last dying speeches defied communal expectations and values. What historians often take for granted, however, is that certain rituals have greater meaning outside of being didactic and not just for the actors, i.e., the person on the scaffold, but instead, the audience. If one accepts the sociological importance of apologies for individual and community healing, then it is not inconceivable. The crowds expected criminal's last dying speeches, but not entirely for entertainment or as an edification of the punishment to be endured. Instead, the purpose of last dying speeches goes beyond expression of social bonds between the to-be-executed and the crowd at the scaffold by holding meanings of closure for both parties, the soon-to-be-executed criminal and the execution crowd standing before him.

Physical removal of a transgressor from earth began along the procession to Tyburn from the Newgate jails, with the symbolic deduction of status.<sup>141</sup> Moreover, the execution in itself represented excision from the social body. Before being completely removed from the world—physically, spiritually, and socially—criminals’ corpses, or *homines defuncti*, experienced opening and fragmentation that humiliated and stripped

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140. “Ordinary of Newgate's Account,” 3 April 1721.

141. More well-off criminals may have purchased or had specific clothing brought to them by family members. According to J.S. Cockburn, some prisoners were willing to sell their corpses even hand off their wives to be supplied luxuries in prison, such as food while awaiting their sad fates and clean clothing to wear at the last drop.

them of their identities. This resulted in an even more irreparable reputation for anatomists as accessories of the state. People considered the opening, cutting, and fragmentation of corpses a form of disgrace, dishonor, and shame, and part of a bad death because of the social ramifications for *homines defuncti*.

The theme of anatomization as removal of one's identity was not new to early modern England. As demonstrated in the ancient bard Ovid's tale of Marsyas, punitive dissection stripped one of his or her identity and, in essence, banished the criminal from the social body. In the tale of Marsyas, the faun challenged the god Apollo in a flute contest. For his hubris, Apollo punished Marsyas by flaying his skin and completely removing it. Onlookers cried a river of tears in their horror. Marsyas' skin represented his identity, which he lost due to his disobedience. This runs parallel to early modern dissection of social transgressors because they, too, were seen as disobedient to both God and the state. Therefore, the state reserved the rights to remove the face (or entire body) from society. As Florike Egmond points out, "[D]ead was not simply dead in early modern Europe. The form of death mattered."<sup>142</sup> While identity is an umbrella term, in this case it refers to communal representation of self, whether status, personality, or social connections to particular peoples, and can be attributed to one's corporeality.

When anatomists chopped and diced *corpus mortuum*, they acted out a punishment on someone who could not exactly experience it the same way they would alive because of the pain that would have been involved. Instead, the meaning behind dissection as an assault on one's identity and communal memory held far more

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142. Egmond, "Execution, Dissection, Pain and Infamy," 100.

significance because it transcended death. Moreover, the more severe the crime, the worse the punishment. Criminals punished with anatomization and its implications received such a punishment because they were generally considered treasonous for challenging the authority of the state and God and threatening social cohesion. Hanging in itself was disgraceful, but the Murder Act added a “peculiar mark of infamy”<sup>143</sup> so that transgressors feared the post-mortem punishment, its shame and dishonor, and its spiritual and social repercussions.

Dissection served as a humiliating post-mortem punishment because of how anatomists treated the body. They ritualistically cleaned and shaved it, but they also splayed out cadavers on a table, naked and for public view. Opening the body was an assault, too, because it was enough for one's bare body to be exposed and objectified, especially for females. An opened and exposed body released gases and fluids considered putrid and uncouth. Those who knew this would be their fate felt embarrassed and ashamed of their leaky bodies, perhaps even fearful of the disease and contaminants their dead bodies freed.<sup>144</sup> Objectifying the *homo defunctus* to become merely a *corpus mortuum* thereby removed any sense of humanness and peeled away layers of social status. Transformed into a site of knowledge and punishment, the criminal was, essentially, excised from the social body.

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143. 2 & 3 Gul VI c. 75, 2.

144. Gail Kern Pastor, *The Body Embarrassed: Drama and Discipline of Shame in Early Modern England* (Ithaca: Cornell University Press, 1993), passim.



This theme of excision, arguably a form of banishment and an element of annihilation, appears in the Account of 22 September 1752 by Ordinary John Taylor, in which Randolph Branch and William Descent “were capitally convicted, and received Sentence of Death accordingly.”<sup>145</sup> Taylor notes that this is not the very first, but certainly one of the initial cases that followed the 1752 Murder Act, and he considered a sound mode of social, legal, and spiritual justice. The law, he states, “[the] immediate Death and Dissection of their Bodies . . . 'tis not only Lawful but expedient, to take away the Life of such Offenders . . . with eternal Banishment.”<sup>146</sup> Such statements are not ubiquitous in the Ordinary's Accounts, but it is certainly significant that dissection represents a form of spiritual banishment. Considering that the most severe of all punishments was banishment<sup>147</sup> because the condemned were stripped of their communal ties, indeed a part of individual identity, dissection can be seen as excommunication because of what happened to their remains.

Anatomization of one's corpse assaulted one's personhood and honor, and evidence of popular fears regarding human dissection that clearly displayed such revulsion and anxiety in early modern English culture can be found in artwork and literature. A great deal of literature and plays reflected obsessions with images of the body under assault. In *Staging Anatomies: Dissection and Spectacle in Early Stuart Tragedy*, Hillary Nunn argues that most of these images reflect the notion that people did

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145. “Ordinary of Newgate's Account,” 22 September 1752.

146. Ibid.

147. Gittings, *Death, Burial, and the Individual*, 70.

not individually own their bodies. Rather, the state owned all bodies which gave it license to show its power to kill via public execution and dismemberment. She includes examples from Thomas Dekker's *The Rauens Almanacke* (1609) as an example of anatomical dissection as entertainment (as seen with the curiosity of public anatomy theatres) that also showed the significance of body mutilation. She argues that, while the state may have exacerbated the horrors of human dissection by allowing criminal anatomies, popular plays managed to ask readers and viewers to question the body's social significance; this in turn fostered sensitivity and sympathy for those whose flesh met with a surgeon's knife.<sup>148</sup>

A good graphic example comes from William Hogarth's *Four Stages of Cruelty* (1751). These four printed engravings featured one main character, Tom Nero, who after committing a variety of crimes since childhood had his executed body anatomized by the Company of Barber-Surgeons. The fourth plate shows Nero's body on the dissection table and depicted around him is an expressionless physician, while students and doctors in the background talk amongst each other and two skeletons boil in a cauldron to prepare a dry bone specimen. Three surgeons slice into Nero's flesh while another surgeon positions Nero's intestines into a bucket of which a dog nibbles upon. While his body appears stiff, Nero's face expresses anguish as an anatomist punctures his eye. This is Hogarth's fourth and final Stage of Cruelty, "The Reward of Cruelty," and the nastiness appears more from the surgeons, not Nero (see Figure 4). The anatomists violently and dispassionately mutilate Nero's body, which screams in agony through an open mouth

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148. Nunn, 3.

with frowned eyebrows. Perhaps Hogarth intended this scene to emulate popular fears regarding the assault on the soul and disgust towards anatomists. But Nero's body and soul are not the only aspects the anatomists are offending. The anatomists also attacked Nero's identity since they lay him out naked on the dissection table as a public spectacle.<sup>149</sup>



Figure 4: "The Reward of Cruelty." London, 1751. Image obtained from the Wellcome Library, London.

Similarly, in 1775, Thomas Rowlandson depicted the morbidity of human anatomization in *The Dissection* (see Figure 5). Like Hogarth's piece, Rowlandson

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149. William Hogarth, "The Reward of Cruelty" in *The Four Stages of Cruelty* (London: NP, 1751), plate 4.

evokes the same emotions and contemplations of the dissection as an assault upon one's honor. On the other hand, Rowlandson depicts the anatomists as ghoulish rather than genteel scholars as they ogle over a body with their hands pulling up the chest cavity of their subject. Such treatment and display of one's naked body seemed humiliating. In the foreground a naked female corpse slips out of a basket with her limbs shadowed. Rowlandson probably acknowledged the illicit impulses associated with anatomizing female bodies and honor.<sup>150</sup>



Figure 5. "The Dissection" by Thomas Rowlandson. London, 1775.

"Decent" burial played as much a part of one's "good" death as one's final moments, and dissection completely prevented proper interment of the *homo defunctus*. Added to this, the Murder Act explicitly stated that "in no case whatsoever" was a

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150. Thomas Rowlandson, *The Dissection* (London, 1775). Found in V.A.C. Gatrell's *The Hanging Tree: Execution of the English People*, 265. For a fuller discussion about anatomization of female bodies, see Julie Doyle's "Anatomy of the Womb: Imag(in)ing Reproduction in the Discourse of Surgery," *Women: A Cultural Review*, 17:3, 310-324.

murderer allowed a Christian burial for these very reasons: to prevent a “good” death. While this aspect of the Murder Act reinvigorated the punishment for murder, it also had even greater social affects because of the meaning it placed on the status of the dead and complications it caused for the resurrection of one’s soul according to Anglican theology. According to popular belief, correct burial spiritually assisted people into their next lives, the hereafter.<sup>151</sup> Fragmentation and improper burial were detrimental to the process of resurrection of one’s soul; this problem lies at the heart of popular fears toward human dissection.

While the traditional Christian belief of the resurrection of Jesus Christ has been interpreted rather literally, resurrection of men continues to be a debate. According to the Church of England, “Christ did truly rise again from death, and took again his body, with flesh, bones, and all things pertaining to the perfection of Man’s nature; wherewith he ascended to heaven, and there sitteth.”<sup>152</sup> Of Jesus’ resurrection came questions about the resurrection of the dead, which Jesus answers in *John*: “And this is the will of him who sent me, that I should lose nothing of all that he has given me, but raise it up on the last day. This is indeed the will of my Father, that all who see the Son and believe in him may have eternal life; and I will raise them up on the last day.”<sup>153</sup> From this came the interpretation that Jesus would resurrect the dead; however, it presents the issue of

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151. Gatrell, *The Hanging Tree: Execution of the English People*, 60.

152. Quoted in Badham, Paul, *Christian Beliefs About Life After Death* (London and Basingstoke: MacMillan Press, 1976), 47.

153. John 6.35-40.

whether one needs to be a whole physical body *and* spiritual body to be raised. 1 Corinthians 15.20 interprets this to argue that the faithful will not perish organically but instead will be substantially changed, although body and soul are required at the sounds of the trumpet.<sup>154</sup> Accordingly, early church fathers interpreted this as, what happened to Jesus too will be the experience of his followers, so that the “particles composing each individual’s flesh” will be amassed as one and the “cannibal will restore the flesh he has borrowed, and the identical structure which death had previously destroyed will be restored.”<sup>155</sup> Badham notes that the ideals of the resurrection of the flesh was adopted by the Apostles’ Creed and continued to be declared church doctrine from the Fourth Lateran Council through to days of the Reformation and part of the Church of England’s teachings.

In post-Reformation Anglican England, burial served as an intermediary status for the soul, acting as a rite of passage to bridge one’s time between life and death. In adopting Jean Calvin’s notion that the soul consciously existed upon bodily expiration, early modern Anglicans believed that the soul awaited eternal blessing or punishment, rather than die with the body and become dust with it. As Philip C. Almond notes, Anglican theologians avoided notions of mortalism in establishing eschatology of life

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154. 1 Corinthians 15.20-end. See also 1 Corinthians 3:10-15.

155. Rufinus, *Apostles’ Creed*, paragraph 42. Quoted in Badham, *Christian Beliefs About Life After Death*, 47.

after death.<sup>156</sup> However, some theologians, such as Cambridge Platonist Peter Sterry, envisaged an afterlife that was morally static in which individuals could do nothing to change their spiritual fates once dead, thus placing greater emphasis on reaching for the grace of God in one's final moments rather than the doctrine of purgatory. Others held the more popular view that "the possibilities of individual repentance, of moral and religious development, and consequently of divine forgiveness, and the gift of salvation, were extended beyond the grave."<sup>157</sup> Additionally, while the soul would be punished at Judgment, so too would the body. Just as the physical punishment of malefactors represented the power of the state, divine punishment of the body also had to be meted out at Judgment, not just the soul. For William Gearing, expiation called for "the same body which hath been instrumental in the actions of righteousness, or unrighteousness, should be rewarded or punished."<sup>158</sup> Furthering this notion, Gearing argued that, "Where were God's Justice if the threaten'd and well-deserved Punishments of Rebellion were executed only upon the Souls Rebelling? The Bodies, as if Guiltless in escaping them; and feeling no more then [sp.] the light Afflictions which are but for a Moment. Altho' they were the Soul's continual Consorts, from their Mother's Belly to the Grave's."<sup>159</sup> In

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156. Philip C. Almond, *Heaven and Hell in Enlightenment England* (Cambridge, UK: Cambridge University Press, 1994), 70.

157. *Ibid.*, 74.

158. Daniel Burgess, *The Death and Rest, Resurrected and Blessed Portion of the Saints* (London: NP, 1692), 48-49. Quoted in Almond, *Heaven and Hell in Enlightenment England*, 95.

159. *Ibid.*

other words, the body as a fundamental aspect of the individual and identity, the body was seen as a partner in crime to the soul and therefore was equally required and deserving of punishment. As such, the body had to resurrect and be present for Judgment. This is reasserted later in a sermon of Winch Holdsworth, stating that “It seems highly congruous to the Justice of God that those very bodies, which were Partners with and Instruments to the Souls of Men in the Good and Evil Actions they did in this Life, sh’d in the other be Partners with and Instruments to the Happiness and Misery due to their Sins or Vertues.”<sup>160</sup> In essence, this allowed God to be the ultimate executioner on Judgment Day.

The popular view as well as that stipulated in the Murder Act suggests that like the established Anglican eschatology, the general populace held mortalist views; otherwise it would have found only anthropological problems with mangling the body after death since the soul should have been considered immune to posthumous physical suffering because it remained in an incorporeal and disembodied state until Judgment. Only then, “on the day of resurrection, the soul would be reunited with its body, be judged by God for eternal punishment or eternal reward, be admitted to a localized heaven (after being finally purged) or hell, there for be rewarded or punished both physically in the body and spiritually in the soul.”<sup>161</sup> Similarly, for most English people, especially those with millenarian beliefs, integrity of their bodies was absolutely vital for

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160. Winch Holdsworth, *A Sermon Preach’d Before the University of Oxford on Easter-Monday 1719* (London: NP, 1720), 17.

161. Almond, *Heaven and Hell in Enlightenment England*, 71-72.



Last Judgment, for better or worse, because fragmentation could also cause dissolution of one's soul since both were needed in order to rise to the heavens together, or burn in fires or sit the darkness of hell. Dissection, by its nature, disallowed such possibility and comfort. Psychologically speaking, proper interment mattered to the dead (when they were alive), but, in the end, communal memory and bereavement were more meaningful and long-term. Without a grave, the *homo defunctus* was not readmitted to the social body and prevented proper healing for the living.

More than anything, proper burial maintained the fabric of social order<sup>162</sup>; the state played the role of ensuring divine justice by maintain the order of the body faithful in denying life after death vis-a-vis dissection and complete disregard to proper Christian burial. However, while the Murder Act explicitly stated that no bodies of murdered could be buried, the exception to this was class based. In 1760, only eight years after Parliament enacted the Murder Act, Laurence Shirley, the Earl Ferrers and Viscount Tamworth, experienced far better treatment than others because of his station in society. Rather than face sentencing by a judge at the Old Bailey, Laurence Earl Ferrers, Viscount Tamworth had been tried by his fellow lords in Parliament for shooting and murdering his steward, John Johnson.<sup>163</sup> Convicted, Parliament ordered that he “shall be hanged by the Neck till he is dead, and that his body be dissected and anatomized.”<sup>164</sup> Taken into custody,

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162. Harding, *The Dead and the Living*, 278.

163. *An Account of the Execution of the Late Laurence Earl Ferrers, Viscount Tamworth, and his Lordship's Behaviour, from the Time of his being Delivered into the custody of the Sheriffs of London and Middlesex, until the Time of his Execution* (London: NP, 1760).

Laurence Earl Ferrers, Viscount Tamworth awaited execution in the Tower of London rather than Newgate jail. Although meant to be executed “in a Manner suitable to his Lordship’s Rank,”<sup>165</sup> he faced the ignoble death reserved for the lower classes: hanging. And, because he was convicted of murder, he received yet another lower-class secondary punishment: anatomization. Thanks to his station, he was allowed a pompous procession to Tyburn from the Tower, with a large mourning cart with several of his friends, which seems more like a funeral than an execution. At his last moments, he acted out the basic tenants of a “good” death in that he exhibited “composure of mind,” and “created a most awful and respectful Silence amidst the numberless Spectators, [which] cannot but make a sensible Impression upon every human Beast.”<sup>166</sup> After about eight minutes of dangling from the crossbeams, his body was treated with greater decency than others. Rather than placed on a cart that would be delivered to Surgeon’s Hall, his body was laid in a coffin with yet another procession accompanied by his friends. Most of all, after he was dissected within a few days’ time, the earl’s remains were arranged in his coffin, which was “delivered to his Friends for Interment.”<sup>167</sup> All of this illustrates that class mattered. While it seems that few other high ranking people were dissected in accordance to the Murder Act, the allowance of the burial reiterates the marginalization of “other” bodies,

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164. *Ibid.*, 4.

165. *Ibid.*, 4.

166. *Ibid.*, 10.

167. *Ibid.*, 11.

which were not only violable for dissection, but unworthy of burial and therefore spiritual life beyond the grave.

Historically, desecration of marginalized *homines defuncti* is not unusual. During the French Wars of Religion, Huguenot bodies were exhumed and despoiled because French Catholics regarded them as undeserving of a Christian burial for their deviance. For instance, the Edict of Nantes in 1598 attempted to secure burial rights for Huguenots as a reaction to widespread posthumous corporal violence and as an effort to institute religious toleration.<sup>168</sup> Additionally, degradation of *homines defuncti* occurred for suicides, whose remains were usually placed at crossroads, and in some places in Western Europe with their heads screwed onto stakes, also placed at crossroads. The

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168. In terms of human dissection and mangling of corpses in seventeenth-century Paris, see Vanessa Harding, "Whose Body? A Study of Attitudes towards the Dead Body in Early Modern Paris," in *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe*, eds. Bruce Gordon and Peter Marshall (Cambridge: Cambridge University Press, 2000), 170-187. Harding explains that, similar to that of England, the anatomists at the Hôtel Dieu in Paris complicated the social meaning of mortal remains, as they petitioned for the bodies of the poor to dissect. The chaplains and others with religious ideals contended that corpses be properly interred, yet they could do little once the bodies were buried. As a result, anatomists despoiled corpses after purchasing bodies from gravediggers and were often seen handing over bodies outside the hospital gates. According to Harding, the Hôtel Dieu saw itself as a religious institution, so the people there "resisted the idea of scientific or experimental anatomy, and in 1655 ruled that no body, male or female, of any age or cause of death, be given to the surgeons for anatomy/dissection, such being contrary to Christian charity and humanity." It wasn't until 1681 that the hospital "reluctantly" allowed surgeons to open corpses obtained from there, and as expected, they contested that the dead were denied Christian burial. Given the similarities between London and Paris religious attitudes towards dissection and meaning of proper interment, it seems appropriate to compare them here in this thesis. It shows the transcendence and continuity of popular beliefs despite differing Anglican and Catholic faiths. See Harding, "Whose Body? A Study of Attitudes towards the Dead Body in Early Modern Paris," 180.

purpose of the stakes was to prevent ghosts of the dead from returning to the living, thereby diffusing the livings' fears and rendering the dead's' corpses harmless.<sup>169</sup> This represented an exemplary punishment meant to remind good Christians that self-murder served as a straight ticket to Hell in addition to representing an act of treason, since one's body, ultimately, was the king's property and in suicide one denied the king's office in using a person to his discretion. Corpses of communicates, heretics, and traitors experienced similar treatment.

Although anatomists seldom carried out funerary rituals for the remains they dissected, prior to the eighteenth century, in some cases anatomists were required at least to bury the bodies of dissectees. At Caius College beginning in 1558, John Caius allowed students of the college to spend 26 shilling and 8 pence on the expenses of anatomies each year for their studies. Students were required to use part of this allowance to bury cadavers in St. Michaels Church nearby. Additionally, the president of the college and all the residents were expected to attend the burial "with as much respect and ceremony as it were the body of some more dignified person; and this on account of the advantage they have thus received."<sup>170</sup> At Oxford University, when Richard Tomlins founded the first readership in anatomy in 1624 (see Chapter One), he stipulated that "[T]he reader shall lykewise out of the said yearely allowance of 25<sup>li</sup> pay and disburse for the charges of removing and decent buriall of the body and all necessaries thereuunto belonging 40

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169. Radzinowicz, *A History of English Criminal Law and Its Administration*, 197.

170. John Caius, *The Works of John Caius...With a Memoir of His Life by John Venn*, ed. E.S. Roberst (Cambridge: Cambridge University Press, 1912), 29.

[shillings].”<sup>171</sup> Similarly, at Cambridge University, in 1627 a statute required that within four days of the annual winter dissection, the professor would receive compensation from the common chest for all the expenses for the costs required to transport and bury dissected cadavers.<sup>172</sup> Those who created these anatomical statutes seem to have revered and cared for the body, even if that of a malefactor, and required proper interment.

However, as Frances Valadez illustrates, these “provisions seem to have represented an ideal rather than reality.”<sup>173</sup> A list of records from St. Michael's Church provides only one instance of the burial of a dissectee, a Master Hutton who was dissected by Thomas Grymstone (d. 1608), and it was dated decades after Caius' statutes: 1601. According to Valadez, no other statutory requirements manifested after this period for Caius College.<sup>174</sup> Additionally, at Christ's College in 1628, clergyman Joseph Mede wrote that the cadaver of an eighteen-year old boy who had been dissected was “so ill accommodated that I came no more [to the anatomy lecture]. . . . It will next time I hope be better, for our new doctor will have one every yeare. We heare talke that the body was begged before any was condemned, which if true was very absurd.” He described his

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171. Gibson, *Statua antiqua*, 551. Quoted in Sinclair, “Oxford Medicine,” in *Medicine in Seventeenth Century England*, ed. Allen G. Debus (Berkeley and London: University of California Press, 1974), 377.

172. J. Heywood and J. Wright, *Cambridge University Transactions during Puritan Controversies of the 16th and 17th Centuries* (London, 1854), Vol. II, 358-359. Quoted in Frances Valadez, “Anatomical Studies at Oxford and Cambridge,” in *Medicine in Seventeenth Century England*, ed. Allen G. Debus (Berkeley and London: University of California Press, 1974), 406.

173. *Ibid.*, 396.

174. Valadez, “Anatomical Studies at Oxford and Cambridge,” 396-7.

second encounter of a human dissection when, around Lent in 1634, the anatomists dissected the remains of a street peddler whose “ligaments and tendons [were] hanging and drying in the sun by strings upon trees.”<sup>175</sup> Mede later learned that he saw the process of anatomists drying the cadaver to use the skeleton for instructional purposes. This serves as evidence of both the improper treatment and disregard of university statutes meant to allow for a more “Christian” disposal of dissectees, which illustrates that the Murder Act, in this context, reflects a representation of the status quo, thereby adding impunity for the dissectee.

As records show that anatomists rarely carried out burials for dissectees<sup>176</sup>, artwork acknowledges this was frowned upon it. For instance, William Hogarth’s “The Reward of Cruelty” (Figure 4) depicts the boiling of bones and dogs eating intestines, illustrating not only the defilement of defunct bodies, but also the complete disregard of cultural customs that placed great importance upon proper burial.<sup>177</sup> This clearly illustrates, at least to Hogarth, that anatomists denied Nero a proper Christian funeral.

When it came to dissection and burial, the most social unrest is evident with concerns of spiritual redemption. Because of this, soon-to-be-executed criminals reached out to their familiars to protect their dead bodies from anatomists and to ensure proper

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175. Ibid., 407.

176. Perhaps because of the increased numbers of dissections, there is archaeological evidence of burials for dissected bodies after 1834. See Elizabeth T. Hurren, *Dying for Victorian Medicine: English Anatomy and Its Trade in the Dead Poor, c.1834-1929* (Hampshire, UK: Palgrave-Macmillan, 2012).

177. Hogarth, “The Reward of Cruelty.”

interment and, as a result, spiritual well-being. For instance, murdering mother Sarah Wilmshurst worried about the “how her body was to be dispos'd of . . . and [asked her father and brother] to have it decently interr'd in a Christian Manner.”<sup>178</sup> Additionally, in 1742, James Clough who murdered a fellow servant and lover, Mary Green, managed to have his friends group at Tyburn after seeing them along the way. His friends saved his body from the Surgeons and buried him in St. Andrew's graveyard. Vincent Davis preferred that hanging in chains over dissection because of the humiliation, so he sent letters to friends and family “to form a company and prevent the Surgeons in their Designs upon his Body.”<sup>179</sup> His friends succeeded and buried Davis in Clerkenwell. Others simply paid their friends to save their bodies from surgeons. For instance, the Friendly Society worked in cooperation with working-class felons to “take Care the Body for Christian burial” of the condemned.<sup>180</sup>

Malefactors at the gallows also warned their kin and friends that they should not fail to defend the condemned's remains from surgeons, or otherwise they would haunt them. In 1743, a Dorothy Roland wrote to her sweetheart Lot Cavanaugh while he was in Newgate jail, stating, “I have endeavor'd to assist you to the uttermost of my Power to do that Thing which you requested of me, touching the saving of your Body from Surgeons; you speak threatning Words to me, telling me, that if you can, you will trouble me after

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178. “Ordinary of Newgate's Account,” 18 September 1743.

179. “Ordinary of Newgate's Account,” 30 April 1725.

180. Linebaugh, “The Tyburn Riots Against the Surgeons,” 83.

you are dead.”<sup>181</sup> This was as likely to have stemmed from religious beliefs as from actual resurrections, in which an incomplete hanging would give rise to the victim’s revival. Since hangings problematized successful executions, there was a real possibility that a malefactor could return in the flesh, which seems to have influenced folktales about reviving the dead in order to avenge injustices.<sup>182</sup> As Linebaugh posits, the ballad “Robrecht the Robber” illustrates this, versed as “We therefore commit his body to the ground earth to earth, ashes to ashes, dust to dust; in sure and certain hope of the Resurrection to eternal life, through our Lord Jesus Christ; who shall change our vile body that it may be like unto his glorious body.”<sup>183</sup>

Although the malefactors whose lives expired at Tyburn did not speak directly about the transformation of their bodies, since this remained long-established doctrine in the Church of England, a literal translation of the doctrine among Christians is quite possible. Because they recognized the necessity and expectation of properly treating their corpses and such views were widely accepted, it went without saying due to its blatancy. The popular discourse of human dissection was concerned primarily with the prevention of spiritual existence, even for malefactors who were normally denied religious offices. This, coupled with the fact that social transgressors redeemed themselves socially, spiritually, and arguably legally, at the scaffold, meant that anatomization disrupted the social order. Criminals paid their dues by leaving the political body, but bodily

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181. “Ordinary of Newgate’s Account,” 13 April 1743.

182. Linebaugh, “The Tyburn Riots Against the Surgeons,” 105.

183. Quoted in Linebaugh, “The Tyburn Riots Against the Surgeons,” 106.



fragmentation offered an even more severe punishment because of its humiliation and, especially, its finality by denying readmission into the social and spiritual bodies with a grave to rest in until resurrection.

What made dissection a “bad” death revolved around preventing communities from healing physically and emotionally. In other words, an ideal death was important not just to the condemned criminal, but also for surviving familiars who could embrace the departure of a loved one and come to terms with bereavement. A positive exit from the earthly realm extended beyond prescriptions of dying well at the scaffold or death beds, because the living implemented funerary arrangements and requirements found in wills or verbal last wishes. These played significant religious and social functions in providing consolation, reinforcing the prospect of spiritual reunion, and allowing the healing of the body social whose solidarity death had disrupted. From watching over corpses between death and burial, bathing and cleaning them, to the funeral itself and the feast that followed, and finally decent Christian burial, not only satisfied the dead but also functioned a means of expressing communal mourning. Resulting in greater grief that transcended the deaths of their condemned familiars, the seemingly unnecessary secondary posthumous punishment of dissection done unto malefactors resulted in “bad” death.

In the end, people feared the finality that dissection fostered, in that, in addition to transmitting a message of marginalization, it also annihilated people from existence, physically, socially, and spiritually. The Murder Act clearly appropriated these popular perceptions and discourse of death. Ultimately, the manner of one’s death may be

important to the to-be-executed, but it mattered more to the living surviving communities who had to live with the social and psychological effects of memory and separation. However, in denying a good death, funerary rites, and proper interment, the Murder Act seems to intentionally intensify the hierarchical class structure: the dissected malefactors were considered the scum of all people who *should be* denied internment, and to treat them otherwise and grant them good deaths would place that at equal footing with the rest of the body social. As such, one of the primary objectives of the Murder Act was to amplify the distinctions between classes and illustrate that gap in death. The bodies of the upper and middle classes were treated with care and respect with elaborate funerals and private graves. The poor were handled more casually, unlikely to be preserved in any way, most likely interred in common graves in the forms of large pits with which a single and very simple funerals was held. Even lords who were convicted of murder, although dissected, were granted proper burial. Conversely, petty transgressors, strangers, the destitute, and unclaimed corpses were ceremoniously buried usually outside the city, thus physically banished from the center of their communities. Far worse, the fate of lower-class murderers, self-murderers, and in some cases those guilty of treason, was worse than death: they were annihilated. Their bodies and personhoods treated as completely “other,” they fell their “last drop” on the hanging tree at Tyburn or Newgate, and undertakers delivered their bodies to Surgeon’s Hall for anatomists to dissect and cut the dead corpses into tiny bits for examination. Or, the executioner carried out the transgressors’ supplementary punishment of gibbeting their deviant bodies to decompose publicly while hanging in a cage to be picked apart by birds and rats and to remind

familiars if their deeds and consequential sad fate. The complete denial of physical reintegration of the body social without interment and resulting surety of spiritual damnation ultimately served to solidify their otherness.

Moreover, in rioting against anatomists and by protecting the condemned bodies of felons at the hanging tree, regular folk demonstrated their stance on the debate regarding the violability of criminal corpses, even the violability of the body in general. As such, the Murder Act and the cultural context represents several strains of discourses: one elite strain concerned with crime and punishment of the lower classes that meant to take advantage of popular fears of dissection yet simultaneously reinvigorate the consequences of capital offences; one popular strain in which people are revolted by anatomization, no matter the reason, whether for science or punishment; and underlying these, one strain of discourse held by those with a vested interest in dissection hoping to attain cadavers in which ideals of punishment and retribution are null.

## CONCLUSION

Dissectors' discourses heightened and perpetuated these transgressors' social marginalization, and ultimately dispassionately considered them less than human. Anatomists, then, shifted the site of knowledge to one of punishment as *homines defuncti* merely became *corpora mortua* while dissectors precariously became extensions of the state. As competition and desire for more reliable evidence of the interiority of the human body increased, so did the demand of subjects for those anatomical inquiries. Mangling and destroying the body remained relatively common in the early modern period, but the acts mostly remained admissible within legal contexts and wars and other forms of sanctioned violence. As a result, anatomists framed their studies within various cultural discourses to justify their studies and protect their reputations since licit corporal destruction sat within the confines of crime and punishment. However, dissection of corpses, even those of social transgressors, invoked fear and anguish within the popular classes, no matter the circumstances, which often resulted in riots at the scaffold when surgeons begged for newly dead corpses. Such practices represented a gross assault upon the integrity and identity of the body, in addition to the repose of the soul, each of which would have been carefully fostered under different circumstances. The purpose of dissection and anatomists' primary source of cadavers—recently hanged criminals—provided much of the cultural stigma, as centuries previously people had their corpses fragmented, boiled, and dismembered for funerary and autopsy purposes. However, ultimately, if dissected, the physical, social, and especially spiritual fate was worse than

death itself, because anatomization denied any sort of survival since it usually represented denial of a Christian burial and afterlife. The Murder Act of 1752 became the result of these early modern shifting meanings of the body. Surely, the Murder Act played some role in deterring murder, but in particular, it aggravated and perpetuated popular fears of punitive dissection. As magistrates did not recognize a repentant or unrepentant death, issues of a good death hardly mattered to the state. However, to the kin and friends of the condemned who witnessed executions, repentance during the final moments before the “last drop” satisfied social expectations of good deaths. This served as partial communal re-admittance into the body social, which could undermine the meaning of capital punishment. And as such, as a means to reinvigorate the social ramifications and perception of the severity of capital offences, denying proper burial of dissected murderers as a significant component of the Murder Act seems appropriate given the cultural and legal context, and it also exemplifies the diverging elite and popular discourses of crime, punishment, and expiation.

The legacy of the ignominy associated with dissection and anatomists continued to live on through the nineteenth century. In the late-eighteenth century, private anatomy schools became increasingly popular in England, in some part due to serving as a forum to learn anatomy outside of the university, allowing those non-academics to participate. As the number of private schools grew, the demand for corpses, too, rose. While dissectionists relied on illicit methods to acquire corpses long before this period, it became lucrative business to exhume bodies not just for the possible riches with them, but instead to be sold as specimens. It did not take long for the public to express outrage

over the disruption of the eternal sleep of their familiars, particularly after body snatching became such a threat. As such, the public cried out against anatomy schools and dissectionsists, which led to new commercial activities to capitalize on them, various literatures reflecting the crisis, such as Mary Shelley's *Frankenstein*, and finally legislation to reform anatomy schools and dissection practices to quell the outcries.

The eventual repeal of the Murder Act did not reflect any discontinuity of popular fears and actually precluded the apex of popular fears of dissection and especially posthumous exhumation due to the deeds of anatomists and surgeons. After it passed, the Murder Act still did not offer a sufficient amount of cadavers to satisfy the demand of surgeons. In fact, from 1750 to 1800, an average of one body for every eight years was awarded legally to anatomists.<sup>184</sup> This resulted in illegal body snatching from hospitals and graveyards, even murders by these “resurrection men.” By the first decade of the nineteenth century, the profession of English anatomy “had long been demanding reform.”<sup>185</sup> With a number of criminal cases against body snatchers presented to the courts, Parliament introduced *An Act for Regulating Schools of Anatomy* or the Anatomy Act of 1832. This law recommended that, instead of allowing penal dissection of hanged murderers, the state should also confiscate the bodies of paupers in hospitals and workhouses.<sup>186</sup> Since poor folk often lacked the means to afford their own funerals, the

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184. Barry Redfern, *The Shadow of the Gallows: Crime and Punishment on Tyneside in the Eighteenth Century* (Tyne: Tyne Bridge Publishing, 2003), 104.

185. Richardson, *Death, Dissection, and the Destitute*, xv.

186. 2&3 Gul. VI c.75: *An Act to Better Regulate Schools of Anatomy* (London, 1832).

anatomists could dispose of the bodies as they liked. As Ruth Richardson clearly points out, “What had for generations been feared and hated punishment for murder became one for poverty.”<sup>187</sup> The state once again utilized popular attitudes regarding dissection to assist the study of anatomy, but in the 1830s the state continued to play within the structures only to punish people for their economic status as it supplemented the effects of poor laws.

This research lends itself to many avenues of future research both within a similar context of crime and punishment in England and its colonies and outside for analysis of modern issues of the body, punishment, and anatomy. The rise and codification of punitive dissection as well as increase in bodysnatching scares thanks to Burke and Hare in the mid-eighteenth through early nineteenth centuries contributed to changes in funerary customs. For instance, rather than simply purchase or make caskets from natural materials, primarily wood, undertakers started making and offering consumers mortsafes—cages for their coffins to prevent theft—for those who could afford such safeguards. It would be interesting to examine how this influenced the commodification and commercialization of death and burial practices. In other words, a study of the economy and consumer consumption of burial and funeral goods could prove advantageous. Additionally, scholarship remains largely imbalanced towards anatomical studies in London and other large metropolitan areas with museums and anatomy schools. However, even without these resources of large cities, it is fair to suggest that interests in anatomy manifested in other areas, resulting in varied practices in terms of

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187. Richardson, *Death, Dissection, and the Destitute*, xv.

teaching, study, as well as attitudes towards dissection and burials. Another topic of interest might be transmigration and continuity/change of burial practices in British colonies of the Americas especially in urban areas with universities or medical schools conducting anatomies. Thanks to Steven Wilf, we know that in late-eighteenth century New York punitive dissection was also codified and broadcasted a message of “other” for convicted murderers, arsonists, and burglars, as well as African-Americans, who were denied traditional funerals and burials. Wilf’s work may serve as a springboard for further analysis of American punitive dissection, as whether other states in the United States followed suit has yet to be explored. Recent studies, however, have illustrated a complex issue regarding colonial bodies with a seemingly punitive stigma in nineteenth- and twentieth-century India under British Imperialism. Parliament introduced a variety of bills regulating anatomy and human dissection in nineteenth century England. Yet as cadavers became less available by legal means, anatomists returned to an illicit method of obtaining specimens for their studies through grave robbing in India, predatory methods of having residents of villages sell their organs and bodies so that Western medical schools and labs could use them for anatomical studies. The multi-billion dollar underground trade continues today as local and international law enforcement fail to regulate the body and organ market that takes advantage of poor and destitute individuals, families, and communities.<sup>188</sup> From this, we learn that human dilemmas in death endure.

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188. See Scott Carney, *The Red Market: On the Trail of the World’s Organ Brokers, Bone Thieves, Blood Farmers, and Child Traffickers* (New York: William Morrow, 2011).



## BIBLIOGRAPHY

Primary Sources

3 Hen. VIII c.11: *An Act for the appointing of Physicians and Surgeons*. London: NP, 1511.

32 Hen. VIII c.42: *An Act Concerning Barbers and Chirurgions to be One Company*, London: NP, 1540.

25 Geo. II c.37: *An Act for Better Preventing the Horrid Crime of Murder*. London: NP, 1752.

2&3 Gul. VI c.75: *Anatomy Act*. London: NP, 1832.

*A Genuine Account of the Life and Actions of William Cannicott, who was Executed at Tyburn, on Monday, September 20, 1756, for the Murder of his Wife, on Tuesday the 20<sup>th</sup> of July, 1756. Written by himself, while Confined in Newgate*. London: NP, 1756.

*An Account of the Execution of the Late Laurence Earl Ferrers, Viscount Tamworth, and his Lordship's Behaviour, from the Time of his being Delivered into the custody of the Sheriffs of London and Middlesex, until the Time of his Execution*. London: NP, 1760.

*An Exact Relation of the Apprehension, Examination, Execution and Confession, of Thomas Bullaker*. London: NP, 1642.

*A True Account of the Behaviour of Mr. Francis Newland, who was Executed at Tyburn on Friday the 19<sup>th</sup> of April, 1695, for the Murder of Francis Thomas, Esq.* London: NP, 1695.

*A True Copy of the Papers Wrote by James Maben, who was Executed Saturday, August 11, 1744, Without the West Gate, Newcastle upon Tyne*. Newcastle: NP, 1744.

*A True Discourse of the Practices of Elizabeth Caldwell*. London: NP, 1604.

Aristotle, *De Sensu*, 436a 8, 11. Cited in Rina Knoeff, "The Reins of the Soul: The Centrality of the Intercostal Nerves to the Neurology of Thomas Willis," *Journal of the History of Medicine and Allied Sciences* 59 no. 3. 2004.

Burgess, Daniel. *The Death and Rest, Resurrected and Blessed Portion of the Saints*. London: NP, 1692.

Caius, John. *The Works of John Caius . . . With a Memoir of His Life by John Venn*, ed. E.S. Roberts. Cambridge: Cambridge University Press, 1912.

Goodcole, A True Declaration of the Happy Conversion, Contrition and Christian Preparation of Francis Robinson. London: NP, 1718.

Great Charter of Charles I. London: NP, 1636.

Hogarth, William. *The Four Stages of Cruelty*. London: NP, 1751.

Holdsworth, Winch. *A Sermon Preach'd Before the University of Oxford on Easter-Monday 1719*. London: NP, 1720.

*Journals of the House of Commons*. London: NP, 1724, 1748-51.

Mandeville, Bernard. *An Enquiry into the Causes of the Frequent Executions at Tyburn*. London: NP, 1725.

*My Christian Brethren!* Bristol: NP, 1755.

*News from the Dead, or a Faithful and Genuine Narrative of an Extraordinary Combat Between Life and Death, Exemplified in the Case of William Duell, one of the Malefactors who was Executed at Tyburn on Monday the 24<sup>th</sup> of this Instant November, for a Rape, Robbery and Murder, who was Soon After Returned to Life at Barber-Surgeon's Hall*. London: NP, 1740.

Ordinary of Newgate's Account. In *The Proceedings of the Old Bailey, Ordinary's Accounts 1679 to 1772*.

Ovid. *Metamorphoses*. "The Story of Marsyas."

Pare, Ambrose, *The Collected Works of Ambroise Pare – 1510-1590*. Trans. Thomas Johnson. London: NP, 1634.

Roe, Stephen. *The Ordinary of Newgate's Account of the Behaviour, Confessions, and Dying Words of Four Malefactors*. London: NP, 1760.

Rowlandson, Thomas. *The Dissection*. London: NP, 1775.

Rowley, William. *On the Absolute and Necessity of Encouraging, Instead of Preventing or Embarrassing the Study of Anatomy*. London: NP, 1795.

*Statutes of the Realm*.

*The Arraignment and Burning of Margaret Ferne-seede*. London: NP, 1608.

*The Covent-Garden Journal*. Number 25. London, March 1752.

*The Genuine Life, Trial, and Dying Words of Eugene Aram, who was Convicted the 3<sup>rd</sup> of August at York Assizes, and Executed the 6<sup>th</sup> for the Murder of Daniel Clark, of Knaresborough, Containing the Wonderful Manner by which this Murder was found out; with his Behaviour at the Place of Execution*. London: NP, 1745.

*The Humble Address Of the Right Honourable the Lords Spiritual and Temporal In Parliament assembled, Presented To His Majesty On Friday the Fifteenth Day of November, 1751. With His Majesty's Most Gracious Answer*. London: NP, 1751.

*The Last Dying Speech (and Last Farewell to the World) of Sarah Metyard, and her own Daughter, Sarah morgan Metyard, who were Executed July the 19<sup>th</sup> 1762, at Tybrun, for the Barbarous Murder, of Two Apprentice Girls*. London: NP, 1762.

*The Life, Apprehensio[n,] Arraignment, and Execution of Clar[les] Courtney, alias Holice, alias Worsley an[d] Clement Slie Fencers: With their Escapes and Breaking og Prison: ass also the True and Hearty Repentance of Charles Courtney w[ith] Other Passages, Worthy the Note and Reading*. London: NP, 1621.

*The Rambler*. London: NP, 1752

*The tryal of Philip Standsfield, son to Sir James Standsfield of New-Milns for the murther of his father, and other crimes libell'd against him, Feb. 7. 1688*. London: NP, 1688.

Willis, Thomas. *Two Discourses Concerning the Soul of Brutes Which is that of the Vital and Sensitive of Man*. Originally London, 1683; Gainesville: Scholars' Facsimiles & Reprints, 1971.

### Secondary Sources

- Almond, Phillip G. *Heaven and Hell in Enlightenment England*. Cambridge and New York: Cambridge University Press, 1994.
- Ariès, Phillipe. *L'homme devant la mort*. Paris: Editions du Seuil, 1977.
- \_\_\_\_\_. *Western Attitudes toward Death: from the Middle Ages to the Present*. Baltimore: Johns Hopkins University Press, 1974.
- Badham, Paul. *Christian Beliefs About Life After Death*. London and Basingstoke: MacMillan Press, 1976.
- Basset, Steven. *Death in Towns: Urban Responses to the Dying and the Dead, 100-1600*. Leicester, London, and New York: Leicester University Press, 1992.
- Brooke, John Hedley. *Science and Religion: Some Historical Perspectives*. Cambridge: Cambridge University Press, 1991.
- Burns, Elizabeth and William. *Science in the Enlightenment: An Encyclopedia*. Santa Barbara: ABC-CLIO, 2003.
- Bynum, Caroline Walker. *Fragmentation and Redemption: Essays on Gender and the Human in Medieval Religion*. New York: Zone Books, 1992.
- Byrne, Richard. *Prisons and Punishments of London*. London: Harrap Books, 1989.
- Carlino, Andrea. *Paper Bodies: A Catalogue of Anatomical Fugitive Sheets, 1538-1687*. Chicago: Chicago University Press, 1999.
- \_\_\_\_\_. *Books of the Body*. Chicago: Chicago University Press, 1999.
- Coster, Will and Andrew Spicer, eds. *Sacred Space in Early Modern Europe*. Cambridge: Cambridge University Press, 2005.
- Cox, M., ed. *Grave Concerns: Death and Burial in England, 1700-1850*. York: Council for British Archaeology, Research Report 113, 1998.
- Cressy, David and Lori Anne Ferrell, eds. *Religion and Society in Early Modern England*. New York and London: Routledge, 2005.
- Cunningham, Andrew. *The Anatomical Renaissance: The Resurrection of the Anatomical Project of the Ancients*. Aldershot: Scholar Press, 1997.

- Daston, Lorraine and Katharine Park, eds. *The Cambridge History of Science, Volume 3*. New York and Cambridge: Cambridge University Press, 2006.
- Devereaux, Simon and Paul Griffiths, eds. *Penal Practice and Culture, 1500-1900: Punishing the English*. New York: Palgrave Macmillan, 2004.
- van Dijkhuizen, Jan Frans. *The Sense of Suffering: Constructions of Physical Pain in Early Modern Culture*. Leiden: Brill Academic Publishers, 2009.
- Egmond, Florike and Robert Zwijnenberg, eds. *Bodily Extremities: Preoccupations with the Human Body in Early Modern European Culture*. Aldershot: Ashgate, 2003.
- Eisenstein, Elizabeth. *The Printing Press as an Agent of Change: Communications and Cultural Transformations in Early Modern Europe*. Cambridge: Cambridge University Press, 1979.
- Emsley, Clive. *Crime and Society in England, 1750-1900*. New York: Longman, 1987.
- Ferrari, Giovanna. "Public Anatomy Lessons and the Carnival: The Anatomy Theatre of Bologna." *Past and Present* 117 (1987): 50-106.
- Foucault, Michel. *The Birth of the Clinic: An Archaeology of Medical Perception*. New York and London: Tavistock Publications, 1973.
- \_\_\_\_\_. *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan. New York: Vintage, 1977.
- Frank, Julia Bess. "Body Snatching: A Grave Medical Problem." *Yale Journal of Biology and Medicine* 49 (1976): 399-410.
- French, Roger. *Dissection and Vivisection in the European Renaissance*. Aldershot: Ashgate, 1999.
- Gatens, Moira. *Imaginary Bodies: Ethics, Power, and Corporeality*. London and New York: Routledge, 1996.
- Gatrell, V.A.C. *The Hanging Tree: Execution and the English People, 1770-1868*. Oxford: Oxford University Press, 1994.
- Giglioni, Guido. "Anatomy and Physiology." In *Europe, 1450 to 1789: Encyclopedia of the Early Modern World*, ed. Jonathan Dewald. New York: Charles Scribner's Sons, 2004.

- Girard-Augry, Pierre. *Ars moriendi ou l'art de bien mourir*. Paris: Dervy-Livres, 1986.
- Gittings, Clare. *Death, Burial, and the Individual in Early Modern England*. London: Croom Helm, 1984.
- Gonzalez-Cruzzi, F. *Suspended Animation*. New York: Harcourt Brace and Company, 1995.
- Grafton, Anthony and Nancy Siraisi, eds. *Natural Particulars: Nature and the Disciplines in Renaissance Europe*. Cambridge: MIT Press, 1999.
- Harding, Vanessa. *The Dead and the Living in Paris and London, 1500-1670*. Cambridge: Cambridge University Press, 2002.
- \_\_\_\_\_. "Whose Body? A Study of Attitudes towards the Dead Body in Early Modern Paris." In Bruce Gordon and Peter Marshall, eds. *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe*. Cambridge: Cambridge University Press, 2000.
- Hans, David. "To Raise an Object of Terror: The Murder Act of 1752." Bachelorette thesis, Reed College, 1998.
- Hay, Douglas. *Albion's Fatal Tree: Crime and Society in Eighteenth-century England*. New York: Pantheon Books, 1975.
- Hillman, David. "Visceral Knowledge." In David Hillman and Carla Mazzio, eds., *The Body in Parts: Fantasies of Corporeality in Early Modern England*. New York and London: Routledge, 1997.
- \_\_\_\_\_. and Carla Mazzio, eds. *The Body in Parts: Fantasies of Corporeality in Early Modern Europe*. New York and London: Routledge, 1997.
- Hurren, Elizabeth T. *Dying for Victorian Medicine: English Anatomy and Its Trade in the Dead Poor, c.1834-1929*. Hampshire, UK: Palgrave-Macmillan, 2012.
- Judovitz, Dalia. *The Culture of the Body: Genealogies of Modernity*. University of Michigan: University of Michigan Press, 2001.
- Jupp, Peter and Clare Gittings, eds. *Death in England: An Illustrated History*. New Brunswick, NJ: Rutgers University Press, 2000.

- Klestinec, Cynthia J. *Theatrical Dissections and Dancing Cadavers: Andreas Vesalius and Sixteenth-Century Popular Culture*. Chicago: University of Chicago Press, 2001.
- Knoeff, Rina. "The Reins of the Soul: The Centrality of the Intercostal Nerves to the Neurology of Thomas Willis," *Journal of the History of Medicine and Allied Sciences* 59 (2004): 413-40.
- Knott, John. "Popular Attitudes to Death and Dissection in Early 19th Century Britain; the Anatomy Act of the Poor." *Labour History* 49 (1985): 1-18.
- Leiboff, Marrett. *A Beautiful Corpse*. New York: Routledge, 2005.
- Marshall, Peter. *Beliefs of the Dead in Reformation England*. Oxford: Oxford University Press, 2002.
- McGowen, Randall. "The Body and Punishment in Eighteenth-Century England." *Journal of Modern History* 59 (1987): 651-79.
- McLynn, Frank. *Crime and Punishment in Eighteenth-Century England*. London and New York: Routledge Publishing, 1989.
- McManners, John. *Death and the Enlightenment: Changing Attitudes to Death among Christians and Unbelievers in Eighteenth-century France*. Oxford: Oxford University Press, 1981.
- Miller, Peter. *Peiresc's Europe: Learning and Virtue in the Seventeenth Century*. New Haven and London: Yale University Press, 2000.
- Newton, David. *Science and Society*. Boston: Pearson Allyn and Bacon, 1974.
- Nunn, Hillary. *Staging Anatomies: Dissection and the Spectacle in Early Stuart Tragedy*. Burlington: Ashgate, 2005.
- Paster, Gail Kern. *The Body Embarrassed: Drama and Disciplines of Shame in Early Modern England*. Ithaca: Cornell University Press, 1993.
- Payne, Lynda. *With Words and Knives: Learning Medical Dispassion in Early Modern England*. Aldershot: Ashgate, 2007.
- Pumfrey, Stephen. *Science, Culture, and Popular Belief in Renaissance Europe*. Manchester: Manchester University Press, 1991.
- Porter, Roy. *Flesh in the Age of Reason*. New York and London: W.W. Norton, 2003.

- Richardson, Ruth. *Death, Dissection, and the Destitute*. Chicago and London: University of Chicago Press, 1999.
- Robb-Smith, A.H.T. "Cambridge Medicine," in *Medicine in Seventeenth Century England*, ed. Allen G. Debus. Berkeley and London: University of California Press, 1974.
- Royer, Katherine Adele. "Rhetoric, Ritual, and Redemption: Narratives of Executions in Late Medieval and Early Modern England." Ph.D. diss., Stanford University, 2002.
- Ruff, Julius. *Violence in Early Modern Europe, 1500-1800*. Cambridge: Cambridge University Press, 2001.
- Sawday, Jonathan. *The Body Emblazoned: Dissection and the Human Body in Renaissance Culture*. London and New York: Routledge Publishing, 1998.
- Scarry, Elaine. *The Body in Pain: The Making and Unmaking of the World*. New York and Oxford: Oxford University Press, 1985.
- Schoenfeldt, Michael C. *Bodies and Selves in Early Modern England: Physiology and Inwardness in Spenser, Shakespeare, Herbert and Milton*. New York and Cambridge: Cambridge University Press, 1999.
- Scholz, Susanne. *Body Narratives: Writing the Nation and Fashioning the Subject in Early Modern England*. New York: St. Martin's Press, 2000.
- Sinclair, H.M. "Oxford Medicine," in *Medicine in Seventeenth Century England*, ed. Allen G. Debus. Berkeley and London: University of California Press, 1974.
- Siraisi, Nancy. "Anatomizing the Past: Physicians and History in Renaissance Culture." *Renaissance Quarterly* 53 (2000): 1-30.
- Smith, Pamela H. "Science on the Move: Recent Trends in the History of Early Modern Science." *Renaissance Quarterly* 62 (2009): 345-75.
- Spierenburg, Pieter. *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience*. Cambridge: Cambridge University Press, 1984.
- Sturdy, Steve. *Medicine, Health, and the Public Sphere in Britain, 1600-2000*. New York and London: Routledge, 2000.



- Sugg, Richard. *Murder After Death: Literature and Anatomy in Early Modern England*. Ithaca: Cornell University Press, 2007.
- Thesing, William. *Executions and the British Experience from the 17th to the 20th Century: A Collection of Essays*. Jefferson, NC: McFarland and Company, 1990.
- Thompson, Lana. "The Emerging Practice of Human Dissection." In *Science and Its Times*, eds. Neil Schlager and Josh Lauer. Detroit: Gale, 2001.
- Yetter, Leigh. *Public Execution in England, 1573-1868*. Vols. I-VIII. London: Pickering and Chatto, 2009.
- Wear, Andrew. *Knowledge and Practice in English Medicine, 1550-1680*. Cambridge: Cambridge University Press, 2000.
- Wilf, Steven Robert. "Anatomy and Punishment in Late Eighteenth-Century New York." *Journal of Social History* 22 (1989): 507-30.
- Wyman, A.L. "The Surgeoness: The Female Practitioner of Surgery, 1400-1800." *Medical History* 28 (1984): 22-41.