A Moral Panic and the Law in the Age of Counter-Revolution: British Jacobins and the Reign of Terror

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If we are to believe some contemporaries of the 1790s, Britain was in danger of being overrun by a force so wicked and dangerous it would drive the country into moral and political degradation, produce a nation of heretics, and send the national economy into an irreversible downturn. In the decade following the outbreak of the French Revolution, a continuous and often sincere panic about the threat to personal and national security pervaded the dominant discourse of government ministers, loyalist pamphleteers and the ministerial press, terrifying and disturbing the British public into believing that their world was on the brink of being turned upside down. This ominous and looming menace was not from a foreign power. Instead, the main danger was said to be much closer, propagated on home soil by British citizens. Many believed there was a clear and present danger at every turn and that Britons were, in essence, sleeping among the enemy. Although this threat came from those who for the most part sought nothing more than constitutional reforms of parliament and an extension of the franchise, their design was perceived to be much darker and vocal conservative reactionaries campaigned to malign and discredit the reformers. Edmund Burke called them the swinish multitude, while others vilified them as democrats, levellers, republicans, anarchists and, worst of all, as Jacobins.

The use of these epithets to label reformers was in some ways part of a cathartic process, rhetorical venting of political sentiments. Yet there was much more at stake when these abusive terms entered British political discourse. They were a semantic drawing of boundaries and an integral part of the construction of a moral panic. As Stanley Cohen wrote, a moral panic occurs when a 'condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests'.[1] To call somebody a Jacobin, then, was an expression of the hostility that characterises a moral panic, a stereotyping and collective designation of those responsible for the threat. It was a way of identifying the margins of society to define its centre, to distinguish between the *respectable* 'us' and the *unrespectable* 'them'.

In the 1790s, political and moral integrity were inextricably entwined and respectable folk were considered to be those who did not advocate reform or support the French Revolution. On the other hand, British Jacobins were looked upon as a perfidious bunch of villains and undesirables. The term was thrown around with indiscriminate abandonment and, as one scholar notes, 'Jacobinism was simply a label for all that conservatives found detestable within society.'[2] Robert Bisset, for instance, in the *Anti-Jacobin Review* of 1798, articulated the subjective and almost boundless application of the name Jacobin: 'Whoever is the enemy of Christianity, and natural religion, of monarchy, or order, subordination, property, and justice, I call a Jacobin.'[3]

Spotlighting Jacobins became the basis for arousing a sense of peril and crisis, which was perpetuated by an intense counter-revolutionary media campaign.[4] Loyalist scribblers went to work with a passion, describing, as one did, how this 'new set of Reformers pretend to have no other object than Universal Suffrage and Annual

Parliaments … because they knew (and we know too) that should they succeed in carrying this point, the destruction of Monarchy must inevitably follow; and a levelling Republic may then be substituted according to the imaginations and will of this rabble.'[5] Another writer spoke of the '*low-minded men who had nothing to lose*' and who would 'declare the King and Lords useless … and fabricate what they would call a *Republic*, but, in other words, *a violent usurpation of all the lands and property of the kingdom*, which would be at the disposal of them and their adherents.'[6] It was firmly believed that in the language of the British Jacobins, 'Liberty is *Licentiousness*; Equality, *Plunder*; and the Rights of Man, a *Right to commit every Crime of which Human Nature is capable.*'[7]

The message was driven home through visual representations of the radical threat. In the Gillray print called *The Tree of Liberty, with the Devil Tempting John Bull*,[8] the artist plays upon the biblical story of the garden of Eden, with a flourishing English oak tree in the background, its trunk and branches representing justice, laws and religion and bearing fruits of freedom, happiness and security. In the foreground, reformers are personified by Charles James Fox as the snaky Satan entwined round a decaying tree of liberty. Its roots are envy, ambition and disappointment, and each rotten apple is the noxious temptations of opposition, like slavery, murder, atheism, and impiety. The great moral and political offence of French-style reforms was also given wide circulation in *The Contrast*, a popular print first published in 1792.[9] It shows a dignified Britannia holding the scales of justice and Magna Charta, symbols of British liberty that have seen religion, morality, loyalty, and obedience to the laws as among its advantages. Alongside Britannia is a medusa hag symbolising French liberty, her trident impaled with a severed head and two hearts. Jacobinism is represented as a savage and menacing synthesis of killings, irreligion and anarchy.

Was this discourse the product of mythology, the phantoms of an over-nervous and heated conservative imagination? With historical retrospect we know that Britain avoided the social and political upheaval that conservative reactionaries envisaged, so this begs the question: was there really a threat? For historians, the extent of the revolutionary menace remains open to debate.[10] But for reformers of the 1790s, they believed the loyalist media campaign was scaremongering, part of what the radical pamphleteer Charles Pigott called the 'prostitution of language'[11] by aristocrats who aimed to uphold public opinion in support of counter-revolutionary measures and the war against France. Suspicion of alarmism influenced popular as well as polite reformers. Charles James Fox, for instance, complained in parliament about 'a miserable mockery held out of alarms in England which have no existence, but which are made the pretext for assembling the parliament in an extraordinary way, in order, in reality, to engage you in a foreign contest.'[12]

Despite this scepticism, there were some gathering clouds that sent the political barometer rising and seemed to give warning of a potential revolutionary storm. Reform societies sprouted in unprecedented numbers throughout Britain and fraternal exchanges between British Jacobins and their French counterparts gave rise to notions of an international conspiracy. The British Reform Convention that met in Edinburgh in 1793 rallied delegates from England, Scotland and Ireland and confirmed the extent of domestic dissent. At other times, crowds emerged as a powerful political entity,[13] as acts of collective violence gripped the country in the form of riots and protests, especially during periods of economic depression.[14] The large mobs that attended the outdoor meetings of Britain's largest reform group, the London Corresponding Society, aroused a paranoid sense of the numbers that constituted the radical ranks.[15] Edmund Burke identified what he called 'the British

publick', a political nation consisting of about 400,000 people, of whom about one fifth he considered to be 'pure Jacobins; utterly incapable of amendment; objects of eternal vigilance; and, when they break out, of legal constraint.' Conceding that radicals were a minority group, Burke believed they had a 'force …. far superior to their numbers'.[16]

Rhetoric discussing the supposed extent of the Jacobin threat helped to generate a communal anxiety and was an integral part of the enterprise of constructing a moral panic. In this way, Burke and other loyalist propagandists were what the sociologist, Howard Becker, calls 'moral entrepreneurs',[17] self-appointed moral guardians and 'crusaders who believe that some members of the society are wilfully engaged in immoral and therefore damaging behaviour and are not being sufficiently punished for it. Something must be done, they believe, to discourage or eliminate such behaviour.'[18] In 1793, Burke stated that he 'considered a general war against Jacobins and Jacobinism, as the only possible chance of saving Europe (and England is included in Europe) from a truly frightful Revolution.'[19] Another loyalist writer predicted grim and direful circumstances for Britain if action against reformers was not pursued relentlessly: 'Should [their] … pernicious designs be accomplished for want of immediate and firm measures to frustrate them, probabilities can only be calculated, it baffles human foresight to foretell the consequences.'[20]

The response to these calls for correction were sweeping and decisive, amounting to what Coleridge called 'the panic of property'.[21] Loyalists banded together in societies led by the Association for the Preservation of Liberty and Property, founded by John Reeves in November 1792.[22] Militant Church and King mobs attacked the houses and newspaper offices of known reformers and ritual burnings of Thomas Paine in effigy symbolised the desires of loyalists.[23] There were beatings, sackings and ostracisms carried out against the British Jacobins, as public and private spaces were deliberately politicised when, for example, publicans hung signs on their front doors saying 'no Jacobins admitted here' or when the woman, whose nickname of 'the Billingsgate bitch' was frightening enough, refused to allow any reformer under her roof.[24] And then there were invasive doorknocking operations conducted to create a demographic map of who was loyal and who should be regarded with suspicion.[25] In the excitable atmosphere of the 1790s, not being home to answer the door could be sufficient reason to get your name on the blacklist. Such victimisation was enough to cause combat fatigue and drive some reformers, like Joseph Priestley, into voluntary exile. It even had an effect on more intrepid radicals, like John Thelwall, who was reputedly harassed into neurotic public habits, such as walking only in the middle of the street and taking 'special care never to go down back streets, for fear of assassins.'[26]

Despite such intimidation, it was not enough for some moralisers. On 17 October 1792, an editorial article in *The Times* spoke of the impending radical threat to the 'safety of the Empire' and observed that 'Pickpockets are transported – highwaymen and murderers hanged, and petty larceners punished with imprisonment. Is our Law so defective, that men who seek to overturn our Constitution, by holding out the doctrines of the French, shall be permitted in safety to roam abroad?' It called for 'such men [to] … be made public examples' and 'for Executive Vengeance against those internal Enemies'.[27] It was a call that did not go unheard, as the government made concerted efforts to monitor and suppress radical activity. *Habeas Corpus* was twice suspended in the 1790s for extended periods of time and legislation was passed, like the so-called 'Gagging Acts' of 1795, that criminalised certain forms of writing, speaking and association.[28]

In sociological terms, criminalisation can be seen as 'the explicit use of power to impose the view of one specific symbolic-moral universe on other universes.'[29] It not only provided the means for punishing transgression, but it also legitimated concepts of right and wrong and symbolised the authority of the state. The rule of law was intended to uphold the status quo and, in Foucauldian analysis, it formed part of the modern economies of power. In *Discipline and Punish*, Foucault describes prosecution and punishment as 'ceremonial of sovereignty … it deploys before the eyes of the spectators an effect of terror as intense as it is discontinuous'.[30] The law was intended to produce what he calls 'docile' bodies,[31] subjected and controlled by the state's legal machinery of power.

Part of this hegemonic machinery was courtroom proceedings, where the law was symbolically and practically put in action. The courts were one of the dominant public spheres of state authority and one of the central elements of this governance was its physical setting. From the outside, the architecture of the central courts was meant to be majestic and mark a prominent place on the streetscape.[32] Internally, the spatial and visual elements of the courtroom were meant to be physically and psychologically imposing. The isolation of the prisoners' box emphasised the vulnerability of the accused, while the dominance of the judges in proceedings was highlighted by their elevated position, indicative of their leading role in proceedings and symbolic of the laws gravity and supremacy. The setting was not unlike a theatre and the spatial qualities heightened the dramatic elements of a trial. The spectacle was enhanced by the use of judicial uniform. The robes and full-bottomed wigs of judges were a mark of the majesty of law. It distinguished them from other participants in the proceedings and, as a symbol of justice and authority, ceremonial dress was, and still is, an indication of the dignity of judges.

The actual proceedings were intended to be awe-inspiring and regimented. The courtroom was a controlled environment, operating upon strict formulaic procedures. The whole point of a trial, by design and function, was to be formal, where actions and rhetoric were contained and restrained within expected boundaries. Speakers within a courtroom were meant to engage themselves within the boundaries of these decorous conventions and defendants in particular were meant to be respectful of protocols. Those British Jacobins who were brought to trial in the 1790s also faced the anomalous workings of the justice system in the late-Georgian era. Juries were often packed and prosecution lawyers had the advantage of being experienced courtroom protagonists with access to virtually endless Crown money to conduct a lawsuit. Presiding judges were known openly to favour the prosecution and often did little to hide their personal and political convictions. While judges in this period had a reputation for mildness and were meant to state 'the evidence on each side of the question … with perfect impartiality',[33] political trials were sometimes administered with distinct bias. Lord Braxfield, who presided over the Edinburgh sedition trials in 1793 and 1794, was a striking example. At the trial of Thomas Muir, for instance, he observed, in a typically scurrilous and elitist manner, that those who advocated reform were part of the nation's 'rabble, who have nothing but personal property … [and who] may pack up all their property on their backs, and leave the country in the twinkling of an eye.'[34]

Given this context, prosecution could often be a formidable process for radicals and in the 1790s there were an increasing number of reformers brought to trial, especially for libels.[35] The government had in place what was, according to the spymaster, William Wickham, 'the most powerful means of Observation and Information'.[36] Surveillance by the state was used to buttress the rule of law, along

with repressive legislation that was in part instituted as a deterrent, a threat that loomed large over the heads of British Jacobins in what one scholar has called 'the principle of suspended terror'.[37] Enforcement, however, was the real power of the law. While a comprehensive statistical analysis of political trials is yet to be made, Clive Emsley has counted some 200 prosecutions for sedition from the 1790s.[38] The magnitude and severity of the legal crackdown can be properly weighted and contextualised when one considers that more trials for sedition had been conducted in 1792 and 1793 than had been in the previous 87 years.[39] The language of radicals was shaped by and reflected this culture of litigation. Thelwall spoke of the prevailing 'persecuting fury',[40] while William Godwin, in the preface to his novel *Caleb Williams*, believed 'Terror was the order of the day.'[41] Some years later, Ebenezer Elliott, the so-called 'Corn-Law Rhymer', reiterated Godwin's sentiment when he reflected on the 1790s as the time of '*the English Reign of Terror*'.[42]

But, is 'reign of terror' a justifiably accurate term to describe the way the law responded to the British Jacobin threat? One school of thought, pioneered largely by E.P. Thompson and Douglas Hay, holds that the law was designed primarily for class oppression and that the political trials of the 1790s exposed a government taking 'halting steps' away from ethical and legitimate control and moving towards a regime that sought to 'dispense with the rule of law … and exercise power by force'.[43] This Marxist hypothesis has been challenged by scholars who have argued that the number of political prosecutions and the infrequent use of new repressive legislation 'hardly constitutes, of itself, a reign of terror.'[44] A further challenge has been presented by historians who argue that the criminal justice system was more pluralistic, permissive and participatory than Thompson and Hay allowed.[45] The law did not operate entirely as a weapon of elite control, with defendants being active protagonists, not merely passive participants, in the performance and discourse of trials. Recent research has shown that British Jacobinism was an inherently rich discursive and performative culture, and this placed radicals in good stead to manipulate the dominant rhetorical and theatrical constructions of the trial.[46] Defendants were often able to undermine the dominant rituals of the court, challenging the legal and political hegemony to create a space of negotiation, contest and expression that helped promote and sustain the broader political and ideological interests of reformers in the 1790s.

In an age when radicals were forced to make fluid and multifarious use of political spaces in response to their increasingly delimited outlets, court appearances became a contested site where an evocative, empowering and enduring counter-culture emerged. British Jacobins inventively manoeuvred the boundaries of judicial and political control, turning trials into a legally sanctioned means of subverting authority. They produced their own cultural practices to exploit and reshape the legal protocols of political trials, and this often began outside the courtroom prior to the actual commencement of proceedings. In this period it was customary for Assize judges to be drawn into town by elaborate processions and some reformers seemed to mimic these displays by appropriating this ritual from legal culture to animate their own performances. This is an interaction that Thompson has identified as being one 'in which rulers and crowd needed each other, watched each other, performed theatre and counter-theatre.'[47] Maurice Margarot, for instance, who was tried for sedition in Edinburgh in 1794 and is known as one of the Scottish Political Martyrs, was drawn to court by a large crowd bearing banners and a liberty tree in the shape of the letter 'M'. At another level, radicals sometimes opened the public discourse on trials through correspondence with government officials, which could then be published in the newspapers or issued as a separate pamphlet. Thus, Joseph Gerrald, another of the

Scottish Political Martyrs, transgressed and reversed the accepted boundaries of dialogical exchange before his trial when he defiantly addressed a letter to the Home Secretary, arrogantly and explicitly pronouncing the course of justice to be perverted: 'I take my departure for Edinburgh to-morrow evening; not for the purpose of taking my trial; (for trial implies candid examination) but, *as you well know*, for the purpose of receiving my sentence of transportation for fourteen years.'[48]

Within the courtroom, many radicals chose to defend themselves, a defiant act of opportunism that provided the chance to engage directly in the rhetorical contest of the trial. It was in part a manifestation of a general distrust of lawyers among reformers at this time. It was also a symptom of being 'bitten by the characteristic vice of the English Jacobins – self-dramatization'.[49] Some of the reformers placed on trial were gifted orators and the proceedings were made notable by their eloquent speeches. Others, however, were more stilted and attempted to overawe proceedings more through exhaustion than eloquence. Speeches by radicals often lasted hours, as large chunks from publications considered seditious were routinely read at length or as protracted arguments about liberty and equality were presented to the court. Within the auditorium of the courtroom, these speeches permitted radicals to embark on narratives of political rights with complete impunity. With verbatim accounts of legal proceedings exempt from prosecution, the dialogue of the courtroom was then taken to a wider audience through printed accounts of the trials, safely disseminating and promoting the radical word.

In a legal contest where reformers relished the opportunity 'to upend authority, to beat the government at its own game, [and] to turn the tables',[50] there was engendered the kind of 'potential excitement of the battle between David and Goliath'.[51] The melodrama was given added punchiness when the political theatre was deliberately heightened by the defendants. In what seems to be a brazen act of countering the supremacy of judicial dress, some radicals of the 1790s attended court with their hair unpowdered in the French style. This was a political statement through deportment, an implicit challenge to authority. At another level, the challenge was presented by breaching the established parameters of court procedures. Thus, in 1794, John Horne Tooke, who was tried for high treason, requested to sit with his counsel rather than stand in the prisoners' box. The presiding judge referred to Tooke's submission as a mere indulgence, to which Tooke retorted that it was in fact his right by law.

Radicals were acutely aware of their legal rights and realised that the rule of law was a constitutional concept that ensured their right to a trial by jury. Juries played an important role in proceedings, especially after the passage of Fox's Libel Act in 1792, which gave them the power to decide not only the act of publishing but also malicious intent. They were drawn into the drama when judges gave biased instructions, when the jury panel questioned the court's authority, or when emotions got the better of them, as was the case when the foreman of the jury at Thomas Hardy's treason trial in 1794 fainted after delivering a verdict of not guilty. In some respects, trial by jury was a numbers game—having one person on the jury favourable to your case could be enough to sway the decision. This point was told in an anecdote of a juryman, printed in *The Morning Chronicle* in July 1793. It was said that he 'constantly entertained notions of the law and justice of the case different from those laid down by the judge and taken up by his brother jurymen', but he was often able to persuade them to his way of thinking. When asked by one of the judges how he came to be so forward and to give the court so much trouble, he replied: 'My Lord … it has been always my misfortune to be on a jury with *eleven obstinate men*.'[52]

The jury was not the only exploitable part of courtroom proceedings. The audience at trials was an important component of the spectacle and integral to the majesty of the law. The people had to see the processes of the law in action if it was to be pedagogical and politically legitimating. But the crowds that gathered at trials were volatile and on some occasions there were attempts to control this element. In an extraordinary and rare case, during the trial of Thomas Hardy, five men were arrested from the courtroom audience for shouts and hisses that were said to interrupt the course of public justice. They were subsequently tried for having riotously assembled at the Old Bailey, but the jury pronounced all the prisoners not guilty.[53] What concerned the authorities in this and other instances was the crowd support shown for radicals. There was no thought of controlling the spectators that favoured the prosecution; only when the audience threw projectiles at Crown lawyers, heckled the bench, or applauded verdicts of not guilty were they considered to be an unruly mob.

The excitability of courtroom crowds often spilled out into the streets, especially after a verdict of not guilty was pronounced. The acquitted radical sometimes found himself drawn through the streets on a triumphant circuit—a ritual that gained added symbolic meaning when the parade trudged past the halls of government. Acquittals not only vindicated the reformers, but gave them unique opportunities to popularise their trials. Radical coinage was circulated widely after the 1794 treason trials, which were further etched into popular memory with annual dinners on Guy Fawkes Day celebrating the acquittals for nearly 50 years.[54] But, even a guilty verdict followed by a term of imprisonment could be manipulated by radicals. In Newgate, Britain's most notorious gaol, imprisoned reformers were able to produce a form of resistance, a counter-cultural discourse that turned the prison into a self-regulated arena of political activism and civility.[55] Long-term radical jailbirds, Henry Symonds and James Ridgway, for instance, joined forces in Newgate to form a publishing collective that was one of the most prolific during the 1790s and, far from a stain or stigma, they proudly displayed their imprisoned status on trade tokens.[56] Newgate radical culture was powerful, provocative and enduring. It was a site of punishment that radicals were able to rework into a site of defiant assembly and a forum for democratic expression. But it was not an unruly prison republic and it did not conform to the concepts of a Jacobin panic with which loyalists had frightened the public. Imprisoned reformers and their associates represented themselves in print as far from vulgar revolutionaries, but rather a respectable and peaceable band of polite citizens, inverting the dominant discourses of conservatism.

Reformers were able to manipulate, distort and rework their places within the criminal justice system to promote and legitimate the cause of reform. The prosecution of sedition and treason in the 1790s was intended to uphold the political and legal authority of the state and prevent the spread of dreaded democratic ideas. In an era gripped by a moral panic about British Jacobinism, the law was meant to enforce what loyalists saw as an acceptable political code of conduct. Yet, as we have seen, prosecution was not always a reliable tool of regulating dissent. Radicals were able to decentralise discursive and performative authority, generating new and potent kinds of expression and ritual that undermined the government's strategy of litigation. In this sense, then, we could perhaps conclude that the state's application of the law in political trials during the 1790s was less as a 'reign of terror' and more a 'reign of error'.

[1] Stanley Cohen, *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (London, 1972), p. 9. On the construction of a moral panic see: Erich Goode and Nachman Ben-Yehuda, *Moral Panics: The Social Construction of Deviance* (Cambridge, Mass., 1994); and Kenneth Thompson, *Moral Panics* (London and New York, 1998).

[2] M.O. Grenby, *The Anti-Jacobin Novel: British Conservatism and the French Revolution* (Cambridge, 2001), p. 8.

[3] *Anti-Jacobin Review*, 1 (1798), p. 223.

[4] See Robert Hole, 'British Counter-Revolutionary Popular Propaganda in the 1790s', in *Britain and Revolutionary France: Conflict, Subversion and Propaganda*, ed. Colin Jones (Exeter, 1983), pp. 53-69; Robert Hole, 'English Sermons and Tracts as Media of Debate on the French Revolution 1789-99', in *The French Revolution and British Popular Politics*, ed. Mark Philp (Cambridge, 1991), pp. 18-37; and Robert Hole, 'Hannah More on Literature and Propaganda, 1788-1799', *History*, 85 (2000), pp. 613-33.

[5] [John Reeves], *Thoughts on the English Government. Addressed to the Quiet Good Sense of the People of England* (London, 1795), in *Political Writings of the 1790s*, ed. Gregory Claeys, 8 vols. (London, 1995), 8: 249-50.

[6] *The Englishman's Political Catechism* (Exeter, 1792), pp. 8-9.

[7] *Ibid*., p. 7.

[8] See Mary Dorothy George, *Catalogue of Political and Personal Satires Preserved in the Department of Prints and Drawings in the British Museum*, 11 vols. (London, 1942), 7: 449-50; Tamara L. Hunt, *Defining John Bull: Political Caricature and National Identity in Late Georgian England* (Aldershot, 2003), p. 148.

[9] See *ibid*., p. 141.

[10] See Malcolm I. Thomis and Peter Holt, *Threats of Revolution in Britain 1789-1848* (London and Basingstoke, 1977); Ian R. Christie, *Stress and Stability in Late-Eighteenth Century Britain: Reflections on the British Avoidance of Revolution* (Oxford, 1984); Edward Royle, *Revolutionary Britannia? Reflections on the Threat of Revolution in Britain 1789-1848* (Manchester and New York, 2000).

[11] [Charles Pigott], *A Political Dictionary for the Guinea-Less Pigs, or, a Glossary of Emphatical Words Made Use of by that Jewel of a Man, Deep Will* (London, 1795), preface.

[12] *Parliamentary History of England, from the Earliest Period to the Year 1803*, 36 vols. (London, 1817), 30: 26. On alarmism in the 1790s, see Clive Emsley, 'The London "Insurrection" of December 1792: Fact, Fiction or Fantasy?', *Journal of British Studies*, 17 (1978), pp. 66-86; John Barrell, *Imagining the King's Death: Figurative Treason, Fantasies of Regicide, 1793-1796* (Oxford, 2000), pp. 15-20; Mark Jones, 'Alarmism, Public-Sphere Performatives, and the Lyric Turn: Or, What is 'Fears in Solitude' Afraid Of?', *Boundary 2*, 30 (2003), pp. 67-105.

[13] See George Rudé, *The Crowd in History* (London, 1964); Nicholas Rogers, *Crowds, Culture and Politics in Georgian Britain* (Oxford, 1998); J.M. Golby and A.W. Purdue, *The Civilisation of the Crowd: Popular Culture in England 1750-1900* (Stroud, 1999).

[14] John Bohstedt, *Riots and Community Politics in England and Wales 1790-1810* (Cambridge, Mass., 1983); Ian Gilmour, *Riot, Risings and Revolution: Governance and Violence in Eighteenth-Century England* (London, 1992); Charles Tilly, *Popular Contention in Great Britain 1758-1834* (Cambridge, Mass., 1995).

[15] A meeting of the London Corresponding Society near Copenhagen House on 12 November 1795 attracted 'probably the largest [crowd] ever assembled' according to Francis Place. British Library, Add. MSS 27808, fo. 54. Estimates of the crowd size range from 10,000 to 300,000. See *Selection from the Papers of the London Corresponding Society*, ed. Mary Thale (Cambridge, 1983), p. 322.

[16] *The Writings and Speeches of Edmund Burke*, ed. R.B. McDowell and William B. Todd, 9 vols. (Oxford, 1991), 9: 223-24.

[17] Howard Becker, *Outsiders: Studies in the Sociology of Deviance* (New York, 1963).

[18] Goode and Ben-Yehuda, *Moral Panics*, p. 80.

[19] *The Writings and Speeches of Edmund Burke*, 8: 404.

[20] [William Atkinson], *A Concise Sketch of the Intended Revolution, in England; With a Few Hints on the Obvious Methods to Avert It* (London, 1794), in *Political Writings of the 1790s*, 8: 192.

[21] Samuel Taylor Coleridge, *Biographia Literaria; or Biographical Sketches of My Literary Life and Opinions*, 2 vols. (London, 1817), 1: 210.

[22] See A. Mitchell, 'The Association Movement, 1792-93', *Historical Journal*, 4 (1961), pp. 56-77; E.C. Black, *The Association: British Extraparliamentary Political Organization 1769-1793* (Cambridge, Mass., 1963), pp. 233-74; D.E. Ginter, 'The Loyalist Association Movement of 1792-3 and British Public Opinion', *Historical Journal*, 9 (1966), pp. 179-90; J.R. Western, 'The Volunteer Movement as an Anti-Revolutionary Force, 1793-1801', *English Historical Review*, 71 (1956), pp. 603-14; Kevin Gilmartin, 'In the Theater of Counterrevolution: Loyalist Association and Conservative Opinion in the 1790s', *Journal of British Studies*, 41 (2002), pp. 291-328.

[23] See Nicholas Rogers, 'Burning Tom Paine: Loyalism and Counter-Revolution in Britain, 1792-1793', *Histoire Sociale*, 64 (1999), pp. 139-71.

[24] Cited in Clive Emsley, 'Repression, "Terror" and the Rule of Law in England during the Decade of the French Revolution', *English Historical Review*, 100 (1985), p. 803.

[25] E.P. Thompson, *The Making of the English Working Class* (Harmondsworth, 1980), p. 126. The tactic of door-to-door enquiries was particularly employed in the collection of signatures to loyal declarations. See Robert R. Dozier, *For King, Constitution and Country: The English Loyalists and the French Revolution* (Lexington, 1983), p. 64.

[26] Cited in *The Politics of English Jacobinism: Writings of John Thelwall*, ed. Gregory Claeys (University Park, Penn., 1995), p. xx. On Thelwall, see E.P. Thompson, 'Hunting the Jacobin Fox', *Past and Present*, no. 142 (1994), pp. 94-140; Michael Scrivener, *Seditious Allegories: John Thelwall and Jacobin Writing* (University Park, Penn., 2001).

[27] *The Times*, 17 October 1792, p. 3.

[28] See James S. Measell, 'Repression in Great Britain: 1792-1795', in *Free Speech Yearbook, 1975* (Falls Church, 1975), pp. 60-61.

[29] Goode and Ben-Yehuda, *Moral Panics*, p. 78.

[30] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (Harmondsworth, 1979), p. 130.

[31] *Ibid.*, p. 138.

[32] See Clare Graham, *Ordering the Law: The Architectural and Social History of the English Court to 1914* (Aldershot, 2004).

[33] T. Gisbourne, *An Enquiry into the Duties of Men of the Higher and Middle Classes* (London, 1794), p. 230. Also see J.M. Beattie, *Crime and the Courts in England 1660-1800* (New Jersey, 1986), pp. 345-48.

[34] *A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes*, ed. T.B. Howell and T.J. Howell, 33 vols. (London, 1809-26), 23: 231.

[35] See Emsley, 'Repression, "Terror" and the Rule of Law in England during the Decade of the French Revolution'; Clive Emsley, 'An Aspect of Pitt's Terror: Prosecutions for Sedition during the 1790s', *Social History*, 6 (1981), pp. 155-84; Michael Lobban, 'From Seditious Libel to Unlawful Assembly: Peterloo and the Changing Face of Political Crime, *c*. 1770-1820', *Oxford Journal of Legal Studies*, 10 (1990), pp. 307-52; Michael Lobban, 'Treason, Sedition and the Radical Movement in the Age of the French Revolution', *Liverpool Law Review*, 22 (2000), pp. 205-34; Philip Harling, 'The Law of Libel and the Limits of Repression, 1790-1832', *The Historical Journal*, 44 (2001), pp. 107-34.

[36] Cited in Bernard Porter, *Plots and Paranoia: A History of Political Espionage in Britain 1790-1988* (London, 1989), p. 29.

[37] Leon Radzinowicz, *A History of English Criminal Law and its Administration from 1780*, 5 vols. (London, 1968), 4: v.

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