

Hutchinson steadfastly refused to be convinced of her errors and to be readmitted to the Church, which, to her, was no Church of Christ. Wheelwright, since he rejected clemency in exchange for his repentance and demanded the General Court to put him to death, if he was really guilty, was also banished. Only after the tragic death of his sister-in-law, was his banishment lifted.

The author's new approach to the old, familiar subject is refreshing, but he does more, by substituting "free grace controversy" for "antinomianism," because the issue was the nature of grace, by rejecting the word, "Puritan," in favor of "puritan," and, more significantly, by challenging Hutchinson's trials becoming a test of women's rights. He contends that far from being a feminist, she defended herself by arguing that she had never violated the boundaries of woman's place in society. Winship also makes the free grace controversy into an immigration issue. "Would you have this state in time to degenerate into Tyranny?" Shepard is reported to have rhetorically asked, "Be gentle and open the door to all comers that may cut our throats in time" (81).

This is a stimulating book with carefully compacted, rich information, based upon extensive research, not only on pertinent manuscripts and obscure old books but on well chosen secondary works, including some by leading English historians. The book considerably deepens our understanding of the subject and is an important addition to the University Press of Kansas's Landmark Law Cases and American Society series, which is growing in number and significance. It is a remarkable story of the oppressed in England, who turned the oppressors against their fellow oppressed in New England. The author tells it imaginatively but with contained emotion, eliciting, nonetheless, feeling and sympathy from the reader.

**Yasuhide Kawashima**

The University of Texas at El Paso

---

Nancy Hathaway Steenburg, *Children and the Criminal Law in Connecticut, 1635–1855: Changing Perceptions of Childhood*, New York and London, Routledge, 2005. Pp. 262. \$85 (ISBN 0-415-97180-2).

The court records of Connecticut have generated some compelling works of scholarship. Bruce H. Mann's *Neighbors and Strangers* and Cornelia Hughes Dayton's *Women Before the Bar* come immediately to mind. The challenge in developing sources like these is to gather up the quirky details revealed in an ample sampling and ultimately make sense of them as a whole. By imposing a rigorous focus on a diverse and continuous array of cases, early modernists have been able to illuminate legal and social changes from the state's Puritan origins to its post-Revolutionary transformations. It is within this demanding scholarly tradition of delineating, analyzing, and contextualizing incremental changes through the painstaking examination of court records that Nancy Hathaway Steenburg is working.

Steenburg's goal in *Children and the Criminal Law in Connecticut* is not only to track a move in the legal construction of childhood toward a greater emphasis on child protection; it is also to uncover fragments of the authentic experience of the flesh-and-blood children who appear as either defendants or plaintiffs. As

a result, the youthful litigants here (defined as persons under twenty-one) are as important as the litigation. Her study is based primarily on all the criminal cases in New London County from the inception of the colony's legal system in 1639 to the opening of the state's first reform school for boys in 1855, an event she reads as a marker of society's preference for reformation over retribution. It is supplemented by the records of the Connecticut General Assembly as it struggled to redefine the status of children in a wide variety of statutes issued over more than two hundred years. Steenburg organizes her study topically rather than chronologically, moving through crimes against property, crimes against persons, crimes against the public order, and in two highly revealing chapters, children as the victims of physical and sexual abuse. She concludes with a chapter on the nineteenth-century impulse toward institutional rehabilitation.

It is to Steenburg's credit that she does not force her material into a tidy narrative that culminates in a new legal paradigm. On the contrary, she concedes from the start that she did not find the regularity she anticipated in the way the antebellum state treated children who violated the law. Even in the 1850s courts continued to struggle with what to do about children, vacillating between a law-and-order approach and a humanitarian one. There is, then, some continuity in Steenburg's larger story. Indeed, if there is a single, coherent thread running throughout, it is the uniformly harsher treatment received by racial minorities and social outcasts. Change in this practice was reflected principally by the inclusion of recent immigrants in the outcast group. What is clear is that a disproportionate number of African American, Indian, and Irish youths appear in the criminal records of New London County. Although this kind of bias is familiar to historians, it is vividly illustrated by the children whom Steenburg uncovers in the New London archives.

Although there is always something to be gleaned from this kind of examination of court records, it is difficult in light of the continuous vacillation that Steenburg documents for the reader to come away with a thesis. Throughout the many case-by-case narratives Steenburg gives us in each legal category, she fails to disclose if there were other cases like these or how many cases she looked at altogether. Steenburg, moreover, does not successfully contextualize her material, failing to note, for example, the shift from apprenticeship to child labor that underpins many of her nineteenth-century cases. Nor does she adequately link ideas in the legal culture to the enlightenment and humanitarian notions to which she fleetingly refers.

This narrowly focused book may serve as a useful addition to the history of childhood in general and its legal history in particular. It cries out, however, for a broader, more comparative analysis even of the speculative sort and often raises more questions than it answers. Just how Puritan was Puritan Connecticut in its legal approach to childhood, and to what extent did it deviate from a jurisdiction like Virginia? Is criminal law even the best way to get at the question? And given the number of today's teenagers being tried as adults in capital crimes, a situation to which Steenburg never alludes, the reader is left wondering what was so different about the treatment of their early American counterparts.

**Norma Basch**  
Emerita, Rutgers University