

Scholar in Residence Final Report, 2007-2008

Dr. Richard Mc Mahon

Residency: 6 weeks (2007-2008).

The project:

Homicide, the law and the Irish migrant experience in Pennsylvania, 1850-1900

My research focuses on the incidence and prosecution of homicide in Pennsylvania between 1850 and 1900 with particular reference to the experiences of Irish migrants and their encounters with the criminal justice system. This research is part of a wider comparative study of the incidence and prosecution of homicide in Ireland, Ontario and Pennsylvania between 1850 and 1900. This project entails an exploration of the extent, nature and characteristics of violence as well as reactions to violent behaviour in all three areas. It also explores the extent to which experiences of and attitudes to violence and the law found in nineteenth-century Ireland were replicated among those who emigrated, both Catholic and Protestant, from the country to North America during the latter half of the nineteenth century. It also demonstrates how their experiences compared to those of other migrant groups at that time and contributes to a broader understanding of the operation of and attitudes to the criminal justice system in nineteenth-century Ireland, Ontario and Pennsylvania. In doing so, this project also allows for broader reflections on the similarities and differences in attitudes and experiences of violence and the law in areas of North America and Europe and, in particular, allows for the exploration of the validity of notions of American and Irish exceptionalism in relation to experiences of and attitudes to violent activity.

The residency

The securing of the position as a scholar-in-residence from the Pennsylvania Historical and Museum Commission was instrumental in launching and sustaining this project. It allowed me to gain invaluable experience in a North American archive and to engage in research which will form the bedrock of the wider project. The main focus of my research, while a scholar in residence, was on homicide cases contained in the records of the courts of oyer and terminer in Pennsylvania. The court records held at the Pennsylvania State Archives and contained in Record Group 47 are an invaluable source for developing a quantitative analysis of homicide cases in the state. They provide information on the names of the accused, the charges filed, the verdicts and the sentences imposed. I have also supplemented this data with some corresponding information gleaned from local newspapers which are held in the Pennsylvania State Archives and the Pennsylvania State Library. This has allowed me to gather more qualitative evidence on the cases contained in the court records.

My research is focused primarily on several counties, namely Luzerne, Carbon, Lackawanna, Schuylkill, Cumberland, Dauphin, Erie and Somerset for various years between 1850 and 1900. This allows me to explore possible differences in experiences and attitudes to violence and the law in different areas of the state. Some counties, such as Luzerne, Carbon, Lackawanna and Schuylkill were also selected because they contained areas with a high percentage of Irish-born migrants while others, such as Cumberland and Somerset were selected because they had a low percentage of Irish-born residents. This obviously allows for a comparison of any varying experiences between areas with a relatively large Irish population and those with a small Irish contingent in them.

Some tentative conclusions can be drawn from the material. To begin, areas with a high Irish-born percentage in their population such as Schuylkill and Luzerne appear to have had higher homicide rates than areas with low Irish population levels. This might suggest at least some connection between rates of lethal violence and patterns of Irish migration. Yet, we should also not exaggerate the impact of Irish migration on rates of violent activity. For instance, Erie had a higher proportion of Irish migrants than Dauphin County – yet appears to have had lower homicide rates. Moreover, homicide rates were lower in Ireland at this time than they appear to be in areas of Pennsylvania which had a high concentration of Irish migrants. This would suggest that the higher rates in Pennsylvania were due more to conditions encountered

in the United States than they did with a propensity for violence brought by migrants from Ireland. Nor should we simply see Irish migrants (as opposed to those who stayed in Ireland) as being particularly prone to engaging in acts of violence given that homicide rates in Ontario, where many Irish migrants settled, appear also to be relatively low compared to some areas of Pennsylvania. A more compelling factor in Pennsylvania may be the urban / rural divide and perhaps more importantly conflict caused by the process of industrialisation. Certainly rates are higher in those areas where, and at times when, industrialisation was at its most potent. More work, however, needs to be done to compare these areas before more substantial conclusions can be drawn. There is also a need for a greater consideration of the impact of patterns of migration from Ireland on patterns of violent activity in Pennsylvania, in particular, an analysis of the age, sex and occupation of Irish-born migrants in the state.

With regard to the role and position of the courts, conviction rates appear to be lower in Pennsylvania than in Ireland. Pennsylvanian conviction rates are, however, broadly similar to those found in Ontario which suggests that low conviction rates were not unique to the state. What the lower conviction rates in Ontario and Pennsylvania might ultimately reveal about differences in attitudes to violent activity between Ireland and North America remains to be seen.

Outcomes

The initial fruits of my research were presented at a symposium on 'New Directions in the History of Crime' in September 2009 at Leeds Metropolitan University in the United Kingdom. Further work from this project will also be presented at the Social Science History Association in Miami, Florida in late October 2008. The intention is also to publish at least one article in a peer-reviewed journal on the incidence and prosecution of homicide in nineteenth-century Pennsylvania with particular reference to the experiences of Irish migrants and how these compare to those of other migrant groups. The findings will also hopefully be integrated into and later published as part of a wider book-length study which will examine experiences of and attitudes to violence and the law among Irish migrants in nineteenth-century North America both in the United States and Canada. In conclusion, I am extremely grateful for the

opportunity to be a scholar-in-residence at the Pennsylvania State Archives. The state archives in Harrisburg provided a productive and stimulating environment in which to undertake my work. The staff of the archives were also unfailingly helpful in addressing my many queries and dealing with my various requests. I look forward to returning to the archives in the future to continue my research.

I have no objection to this report being posted on the PHMC website