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Spring 2020

## HSS 404-004: Murder in U.S. History (Revised for Remote Learning)

Alison Lefkovitz

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### Recommended Citation

Lefkovitz, Alison, "HSS 404-004: Murder in U.S. History (Revised for Remote Learning)" (2020). *History Syllabi*. 37.

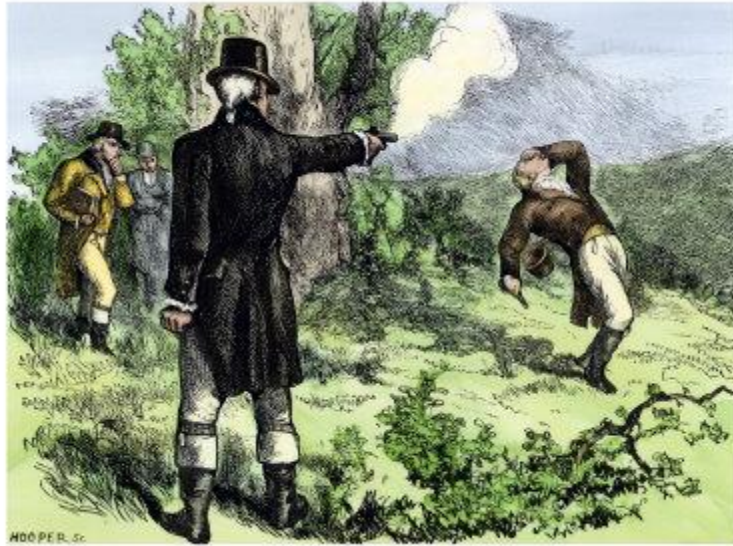
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# HSS 404: Murder in US History

Prof. Alison Lefkowitz

SPRING 2020



Tuesday and Thursday 2:30-3:50 pm  
Class Room: CKB 206  
alefkovi@njit.edu

Office Hours: Tuesday Thursday 10:00-  
11:30am and by appointment, Cullimore  
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Of all the crimes in human history, it seems that murder would be the most straightforward. It is nearly universally regarded as wrong, and societies across the world punish it. But even something as simple as murder has a history—how the law defines it, how the law punishes it, which murders are seen as the most heinous, and who the law punishes has all changed over the course of US history. This class will use a series of case histories to examine how the law has treated different murders differently—and why. Then you yourself will select a case to examine and write up for your senior seminar paper using primary and secondary sources. The goal of the paper is not only to detail the circumstances of the murder but also to detail what this particular murder can teach us about life at that time in US history. For instance, how did race, class, gender, religion, or sexuality shape justice or its lack? Or what historical circumstances motivated someone to resort to murder? Alternatively, did historical actors and witnesses have the same understanding of the crime as we would today? How have legal changes shaped the reaction to this crime?

## **Code of Conduct:**

--Though I hope we disagree on many different issues, I expect you to treat the class, your fellow students, and me with respect at all times.

-- *Academic Integrity is the cornerstone of higher education and is central to the ideals of this course and the university. Cheating is strictly prohibited and devalues the degree that you are working on. As a member of the NJIT community, it is your*

*responsibility to protect your educational investment by knowing and following the academic code of integrity policy that is found at:*

<http://www5.njit.edu/policies/sites/policies/files/academic-integrity-code.pdf>

*Please note that it is my professional obligation and responsibility to report any academic misconduct to the Dean of Students Office. **Any student found in violation of the code by cheating, plagiarizing or using any online software inappropriately will result in disciplinary action. This may include a failing grade of F, and/or suspension or dismissal from the university.** If you have any questions about the code of Academic Integrity, please contact the Dean of Students Office at [dos@njit.edu](mailto:dos@njit.edu)*

### **Learning Outcomes:**

The Learning Outcomes for this course are as follows:

- a) track the changes and continuities in the American legal system related to murder in class discussion and written assignments
- b) identify how these changes came to pass in class discussion and written assignments
- c) demonstrate information literacy through the use of appropriate source material, original research, and the ability to cite properly. To excel in this course, you are expected to be able to locate and use web AND library resources effectively and cite them correctly. Davida Scharf is an expert researcher and our librarian for the History Department. She has prepared online research guides that you may find useful. Start here: [Research Guide for History](#). She is available for help during her office hours, or by appointment. Her contact information and calendar are available here: <http://researchguides.njit.edu/scharf>. Please take advantage of her expertise
- d) formulate an independent research question
- e) assess interpretive approaches and biases in secondary sources
- f) write a research essay with an original argument using primary and secondary sources

The following assignments will gauge students' success with these learning outcomes. The following scale will be used: A 90-100; B+ 87-89; B 80-86; C+ 77-79; C 70-76; D 60-69; F below 60:

--Faithful and active participation in class discussion. This includes discussing class readings and reflecting on your peers' work. You cannot actively participate if you are not present. (150 points)

--In-class index cards and Forum posts. Throughout the semester, you will be administered either a short reading quiz or an index card writing activity. Makeup notecards and quizzes are not available, but I will drop one notecard or quiz at the end of the semester. (200 points)

--Annotated bibliography worksheet. This bibliography should list different primary and secondary sources in the categories I designate. A short paragraph should describe each source. (150 points) **DUE FEBRUARY 20**

--Prospectus. Prepare a 3-4 page prospectus of your project. Highlight your research problem/question (20 points), the type of evidence you will draw on (20 points) as well as the methods you will use to analyze your data (10 points). Pay particular attention to the "so what" question or the relevance of your work (20 points). Explain how you plan to organize or structure your project (20 points). Include a revised version of your annotated bibliography (10 points). (100 points) **DUE MARCH 5**

--Rough draft. This draft should be at least 7 pages to allow me to help you with the final version of your paper. It should include an introduction (based on your proposal 25 points), an argument (italicized in your introduction 25 points), at least some of your evidence (25 points), and footnotes in the Chicago Manual of Style formatting (25 points). (100 points) **DUE APRIL 14**

--Final Paper. The purpose of the previous assignments is to prepare you to write the final research paper. The final paper should be 13-15 pages. All papers should make use of primary and secondary sources about a murder to make an argument about American history and law. (300 points) **DUE MAY 12**

### **Assigned Text**

Most readings will be available on **moodle**. The following required text will be available at the bookstore for purchase.

-- David Grann, *Killers of the Flower Moon: The Osage Murders and the Birth of the FBI* (Vintage Press, 2017).

*I reserve the right to make any changes to the syllabus that I deem necessary.*

### **Week 1: Murder and Human Nature**

#### **Tuesday, January 21**

--Introductions

#### **Thursday, January 23**

--Karen Haltunnen, *Murder Most Foul: The Killer and the American Gothic Imagination* (Harvard University Press, 2000), introduction.

### **Week 2: Murder Rates and American Exceptionalism**

#### **Tuesday, January 28**

--Roger Lane, *Murder in America: A History* (Ohio State University Press, 1997), introduction.

#### **Thursday January 30**

--Randall Roth, *American Homicide* (Harvard University Press, 2012), introduction.

### **TOPICS DUE**

### **Week 3: What Counts as Murder? What Counts as Genocide?**

#### **Tuesday, February 4**

--Cornelia Hughes Dayton, "Taking the Trade: Abortion and Gender Relations in an Eighteenth-Century New England Village," *William and Mary Quarterly*, 48 (Jan. 1991), 19-49.

**Thursday, February 6**

--Jeffrey Ostler, "To Extirpate the Indians': An Indigenous Consciousness of Genocide in the Ohio Valley and Lower Great Lakes, 1750-1810," *William and Mary Quarterly* (October 2015), 587-622.

--Elizabeth Dale, "Getting Away with Murder," *American Historical Review* (February 2006), 95-103.

**Week 4: Archives Visits/The Insanity Defense**

**Tuesday, February 11**

ARCHIVE VISIT OFF CAMPUS (This date may change!)

**Thursday, February 13**

-- Lisa Duggan, "The Trials of Alice Mitchell: Sensationalism, Sexology, and the Lesbian Subject in Turn-of-the-Century America," *Signs* (Summer 1993), 791-814.

**Week 5: Archives Visits/The Insanity Defense**

**Tuesday, February 18**

ARCHIVE VISIT CAMPUS LIBRARY (This date may change!)

**Thursday, February 20**

---Hendrik Hartog, *Man and Wife in America: A History* (Harvard University Press, 2000), chapter 8.

--Steph Chevalier-Crockett, "A Most Damnable Fraud?' Public (Mis)Conceptions and the Insanity Defense, <https://nursingclio.org/2019/09/19/a-most-damnable-fraud-public-misconceptions-and-the-insanity-defense/>

**ANNOTATED BIBLIOGRAPHY DUE**

**Week 6: Murder and the Failures of Local Justice**

**Tuesday, February 25**

LIBRARY VISIT ON CAMPUS

**Thursday, February 27**

--Grann, *Killers of the Flower Moon*, Chronicle 1, chapters 5-8.

**Week 7: Murder and the Success of Federal Power**

**Tuesday, March 3**

-- Grann, *Killers of the Flower Moon*, Chronicle 2, chapters 8-12.

**Thursday, March 5**

--Grann, *Killers of the Flower Moon*, Chronicle 2, chapters 13-21.

**PROPOSALS DUE**

**Week 8: Murder and the Failures of Federal Justice**

**Tuesday, March 10**

--Grann, *Killers of the Flower Moon*, Chronicle 3.

**Thursday, March 12**

--Nancy MacLean, "The Leo Frank Case Reconsidered: Gender and Sexual Politics in the Making of Reactionary Populism," *The Journal of American History* (December 1991), 917-948.

## **SPRING BREAK**

### **Week 9: Individual Meetings**

**Tuesday, March 24**

Individual Meetings

**Thursday, March 26**

Individual Meetings

**OUTLINE DUE**

### **Week 10: Race, Ethnicity, and Victimhood**

**Tuesday, March 31**

--Ruth Feldstein, "I Wanted the Whole World to See: Race, Gender, and Constructions of Motherhood in the Death of Emmett Till," in *Not June Cleaver*.

**Thursday, April 2**

--Catherine Ceniza Choy, *Empire of Care: Nursing and Migration in Filipino American History* (Duke University Press, 2003), chapter 5.

### **Week 11: The State and Its Ability to Kill**

**Tuesday, April 7**

--Henry T. Nash, "The Bureaucratization of Homicide," *The Bulletin* (April 1980).

**Thursday, April 9**

--Lauren Jae Gutterman, "Saving Jeannace June Freeman: Capital Punishment and the Lesbian as Victim in Oregon, 1961-1964," *Journal of the History of Sexuality* (January 2018), 134-178.

### **Week 12: The Civil Rights Revolution and Its Limitations**

**Tuesday, April 14**

--Christina Greene, "'She Aint' No Rosa Parks': The Joan Little Rape-Murder Case and Jim Crow Justice in the Post-Civil Rights South," *Journal of African American History* (Summer 2015), 428-447.

**ROUGH DRAFT DUE**

**Thursday, April 16**

--Edward J. Escobar, "The Dialectics of Repression: The Los Angeles Police Department and the Chicano Movement, 1968-1971," *The Journal of American History* (March 1993), 1483-1514.

### **Week 13: Murder until Today**

**Tuesday, April 21**

--*OJ Simpson: Made in America*, Part 1 on espn.com

**Thursday, April 23**

--Keisha N. Blain, "Ida B. Wells Offered the Solution to Police Violence more than 100 Years Ago," *Washington Post*, July 11, 2017.

--Brandon L. Garrett, "The Metastasis of the Misdemeanor System,"

<http://bostonreview.net/law-justice/brandon-l-garrett-metastasis-misdemeanor-system>

### **Week 14: Presentations**

**Tuesday, April 28**

Presentations

**Thursday, April 30**

Presentations

**Week 15: Presentations**

**Tuesday, May 5**

Presentations

**Week 16**

**Tuesday, May 12**

Final Paper Due