

History 495: Trials and History

Professor James Farr

Office: UNIV 311

Office Hours: By Appointment

Ph: 765-532-7523

e-mail: jrfarr@purdue.edu

Description:

Over the course of history men and women have been charged with and brought to trial for a wide variety of criminal offenses, from heresy and treason to murder, arson, rape, obscenity--the list is virtually inexhaustible. These alleged offenses have been adjudicated under different legal traditions, notions of justice, and systems of jurisprudence, with varying standards and burdens of proof, and before one type of tribunal or another. The drama in the courtroom frequently crystallizes certain social, cultural, and/or political issues of the period. The study of trials, including the legal reasoning and storytelling they often entail and the way in which they were constructed and covered in public discussion at the time, can offer a window into the community in which they took place and shed light on all sorts of otherwise hidden facets of a society's fundamental beliefs, customs, and cultural values as well as prevailing social relations and economic conditions.

Required Readings:

Crain, Caleb, "In Search of Lost Crime": http://www.legalaffairs.org/issues/July-August-2002/feature_crain_julaug2002.msp.

Fahey, John. "The Secret Poison Plot." (handout)

Farr, James R. *A Tale of Two Murders: Passion and Power in Seventeenth-Century France*

On Reserve (Hicks UGL):

Ferguson, Robert A., THE TRIAL IN AMERICAN LIFE

Friedman, Lawrence M., CRIME AND PUNISHMENT IN AMERICAN HISTORY

Knappman, Edward W., ed., GREAT AMERICAN TRIALS

Newton, Michael, MASS MURDER: AN ANNOTATED BIBLIOGRAPHY

Grading:

Research paper (85%) and Oral Presentation and class participation (15%):

Students in this seminar are expected to select one criminal trial from any period of American or European history prior to 1960, to examine it and its context in some depth, and

- 1) offer a 10 minute, in-class oral presentation (presenting a brief description of the trial, the context, your sources, and the historical significance of your findings) and
- 2) write a 25-30 page research paper, with footnotes, based largely on primary sources.

Class Schedule:

Jan. 11: Introduction

13: in class: read Crain, read Fahey (handout) and be prepared to discuss; begin search for your trial

18: in class: read Farr, Preface, chapters 1-5

20: in class: read Farr, chapters 6-10; select your trial

24: in my office: Individual meetings to discuss your trial and potential sources

25: in my office: Individual meetings; in class: read Farr, chapters 11-13, Epilogue, and Analytical Essay

26: in my office: Individual meetings

Feb. 8: bibliography due (e-mail attachment)

21: in my office: individual progress reports (what is your trial? What are your primary sources? What is your working thesis? What is its significance?)

22: in my office: individual progress reports

23: in my office: individual progress reports

March 4: outline due (e-mail attachment)

April 11: Rough draft due (e-mail attachment)

April 12: in class presentations

April 14: in class presentations

April 19: in class presentations

April 21: in class presentations

May 6: (Friday): Final paper due (e-mail attachment)

Selecting your trial:

Listed immediately below are three Web sites that I encourage you to visit in order to get ideas for research projects. Most of the trials featured on these sites are "famous"--or infamous--ones, for which the existing primary and secondary literature is quite extensive, though you are not thereby precluded from choosing one of them as a topic for this course. The author/compiler of these sites is Professor Douglas Linder, University of Missouri-Kansas City School of Law:

<http://www.law.umkc.edu/faculty/projects/ftrials/ftrials.htm>

http://www.law.umkc.edu/faculty/projects/ftrials/ftrials_LNKS.html

<http://www.law.umkc.edu/faculty/projects/ftrials/Lindsayft.htm>

Another useful source of possible topics for those of you working on a subject in American history is Edward W. Knappman, ed., GREAT AMERICAN TRIALS. (on Reserve in Hicks UGL). The table of contents for the first edition of this volume can be found on the British Web site of "amazon.com":

http://www.amazon.co.uk/gp/product/toc/0810391341/ref=dp_toc?ie=UTF8&n=266239.

This hefty book contains hundreds of brief summaries of the trials listed. See, e.g., <http://www.encyclopedia.com/doc/1G2-3498200075.html>

For those of you working on a topic in European history, you might wish to look at Knappman's GREAT WORLD TRIALS: THE 100 MOST SIGNIFICANT COURTROOM BATTLES OF

ALL TIME. Unfortunately, our library does not have this book, but for the table of contents, see http://www.biggerbooks.com/bk_detail.aspx?ISBN=9781578590018.

For more ideas and possible trials, see also,
Sadakat Kadri, THE TRIAL: A HISTORY FROM SOCRATES TO O. J. SIMPSON.
David K. Frasier, MURDER CASES OF THE TWENTIETH CENTURY: BIOGRAPHIES AND BIBLIOGRAPHIES OF 280 CONVICTED OR ACCUSED KILLERS.
Elizabeth Frost-Knappman and Kathryn Cullen-DuPont, eds., WOMEN'S RIGHTS ON TRIAL: 101 HISTORIC TRIALS FROM ANNE HUTCHINSON TO THE VIRGINIA MILITARY INSTITUTE CADETS.
George C. Kohn, DICTIONARY OF CULPRITS AND CRIMINALS.
Michael Newton, MASS MURDER: AN ANNOTATED BIBLIOGRAPHY (on reserve).

If you are interested in considering a "sensational" murder trial from the nineteenth century as your research topic, you should check the Web site by that name at <http://www.uq.edu.au/~entjohns/Murder.htm>. (Before reaching this site you will be taken to the Staff Web Page for the University of Queensland in Australia. If you click on "Proceed [to continue]," you will be taken to the "Sensational Murders" site mentioned.)

For English legal history and links to legal cases in English history, see <http://www.law.duke.edu/lib/researchguides/englishlegal.html>

Other potential topics can be found at the following sites and the links that some of them provide:

http://rs6.loc.gov/ammem/awhhtml/awlaw3/american_state.html
<http://www.earlymodernweb.org.uk/emr/index.php/category/themes/law-order/>
<http://www.oldbaileyonline.org/> [see also
http://uncpress.unc.edu/chapters/may_bar.html]
http://www.law.duke.edu/legal_history/portal
<http://politicalgraveyard.com/death/murder.html>
<http://www.sonic.net/~msnyder/femvio>
<http://www.homicide.northwestern.edu/context/legal/cpd/>