

HSS 404: Murder in US History

Prof. Alison Lefkowitz

Fall 2024

Tuesday and Thursday 2:30-3:50am

Class Room: Culm Lect 2

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Office Hours: Tuesday 1:30-2:30 and

Thursday 12:30-2:30 or by appointment

Cullimore 327

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, who gets punished, and which murders are seen as the most heinous 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 absence? 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:

--I will be as understanding as I can be along the way with the sole exception of academic dishonesty (see below). If you have any trouble, confusion, or worry, please reach out.

We can figure something out.

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

--Class Recordings: Class sessions may be recorded by the instructor. These recordings shall only be used as an educational resource and are not to be distributed or used outside of this class. Information on how to access recorded lectures will be made available by your instructor. Any recordings that contain identifiable information about students will not be used beyond this semester. Class Recording Etiquette: Students are expected to respect their fellow students' privacy and freedom to learn without disruption. Students are not allowed to capture or reproduce anyone's name, image, or voice without permission. They must be polite and respectful in the online chat. Informal chat is okay, but typing is restricted to things that one would say out loud in front of the entire class. Students must always conduct themselves on their webcam video as they would in person in a classroom.

-- *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*

-- My addenda: please note self-plagiarism counts as plagiarism. You can use the same research but not the same language for more than one paper. You also may not use ChatGPT or other AI unless approved ahead of time by me.

--If you need support for any reason, please make use of our C-CAPS Staff at 973-596-3414.

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. Our library has online research guides that you may find useful. Start here: [Research Guide for History](#).
- 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. (50 points)

--Previous class recap. You will sign up to recap aloud the previous class's main discussion and learning outcomes. This should be at most a 5-minute summary but allow a student who missed the previous class to gain some insights into the main discussion points. **You will then post your notes for your recap on Canvas.** If you miss the day

you are supposed to summarize or the day you are supposed to present, I will assign you a later date. Please do your best to avoid this and let me know in advance if it seems you'll have to miss class. (100 points)

--In-class index cards. On the days I specify, you will pick a significant quote from one of the assigned readings that week and explain in 3-5 sentences how it affects your thinking about your project on the class forum. (50 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 OCTOBER 8**

--Prospectus. Prepare a 3-4 page prospectus of your project. Highlight your research problem/question, the type of evidence you will draw on as well as the methods you will use to analyze your data. Pay particular attention to the "so what" question or the relevance of your work. Explain how you plan to organize or structure your project. Include a revised version of your annotated bibliography. You should add at least one new source of your choosing (100 points) **DUE OCTOBER 17**

--Outline. You may outline in whatever manner is most useful to you, but there should be enough detail to guide your way. (50 points) **DUE OCTOBER 31**

--Rough draft. This draft should be at least 12 pages to allow me to help you with the final version of your paper. It should include an introduction (based on your proposal, an argument (italicized in your introduction 25 points), at least 12 pages of your evidence (25 points), and footnotes in the Chicago Manual of Style formatting (25 points). It should be a word document (25 points). (100 points) **DUE NOVEMBER 14**

--Feedback on a classmate's rough draft. I will assign you a partner, and you will provide the partner an oral and written assessment of their draft so far. I will provide a guide for you to follow for giving feedback. You will turn in the written version to both myself and your partner. (100 points) **DUE NOVEMBER 26**

--Poster and presentation at Poster Session. You will create a poster with images and written content to represent the main ideas of your final paper. The argument should be presented in red. You should also prepare a 2-3 minute summary to present when approached in the classroom by your peers or me. (50 points) **DUE DECEMBER 10**

--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. (250 points) **DUE DECEMBER 17**

Assigned Text

The readings will be available on **Canvas**.

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

Week 1: Murder and Human Nature

Tue, Sep 3

--Introductions

Thu, Sep 5

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

--"Difference between First and Second Degree Murder?" Findlaw.com, June 2020, <https://www.findlaw.com/legalblogs/criminal-defense/difference-between-first-second-degree-murder/>

Week 2: Murder Rates and American Exceptionalism

Tue, Sep 10

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

Thu, Sep 12

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

TOPICS DUE

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

Tue, Sep 17

--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.

Thu, Sep 19

--Benjamin Madley, "California's Yuki Indians: Defining Genocide in Native American History," *Western Historical Quarterly* (Autumn 2008), 303-332.

Week 4: Murder and Vigilantism

Tue, Sep 24

--Karlos K. Hill, "Black Vigilantism: The Rise and Decline of African American Lynch Mob Activity in the Mississippi and Arkansas Deltas, 1883-1923," *The Journal of African American History* 95 (Winter 2010), 26-43.

Thu, Sep 26

--DANA LIBRARY VISIT

Week 5: The Insanity Defense and Slavery

Tue, Oct 1

--DANA LIBRARY VISIT

Thu, Oct 3

--Wilma King, "'Mad' Enough to Kill: Enslaved Women, Murder, and Southern Courts," *The Journal of African American History* 92 (Winter 2007), 37-56.

Week 6: Medical Expertise and Gender

Tue, Oct 8

--Courtney E. Thompson, "The Curious Case of Chastine Cox: Murder, Race, and the Media in the Gilded Age," *Social History of Medicine* 32 (2019), 481-501.

ANNOTATED BIBLIOGRAPHY DUE

Thu, Oct 10

-- 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 7: Murder and Race in the Progressive Era

Tue, Oct 15

--Mary Ting Yi Lui, *The Chinatown Trunk Mystery* (Princeton University Press, 2004), introduction.

Thu, Oct 17

--Gail Bederman, *Manliness and Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (University of Chicago Press, 1996), chapter 2.

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

PROPOSALS DUE

Week 8: Murder and Race at Midcentury

Tue, Oct 22

--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.

Thu, Oct 24

--Eduardo Obregon Pagan, *Murder at the Sleepy Lagoon: Zoot Suits, Race, and Riot in Wartime LA* (University of North Carolina Press, 2003). Chapter 3.

Week 9: The Postwar Murder of Children and Civil Rights

Tue, Oct 29

--George Chauncey, "The Postwar Sex Crime Panic," in *True Stories of the American Past*, ed. William Graebner (New York: McGraw-Hill, 1993).

Thu, Oct 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*.

OUTLINE DUE

Week 10: Individual Meetings

Tue, Nov 5

Individual Meetings

Thu, Nov 7

Individual meetings

Week 11: Modern Medicine and Murder

Tue, Nov 12

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

Thu, Nov 14

--Sexing History podcast, episode 2 "Abortion on Trial"

ROUGH DRAFT DUE TO CANVAS AND YOUR PARTNER

Week 12: The State and Its Ability to Kill

Tue, Nov 19

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

Thu, Nov 21

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

Week 13: The 60s and Their Limitations

Tue, Nov 26

--Timothy Stewart-Winter, "Cruising for Conspirators: How a New Orleans DA Prosecuted the Kennedy Assassination as a Sex Crime," *Journal of the History of Sexuality* (May 2024), 294-6.

--Jeffrey Melnick, *Charles Manson's Creepy Crawl: The Many Lives of America's Most Infamous Family* (Arcade Press, 2019), chapter 1.

PEER REVIEW DUE

Thu, Nov 28

THANKSGIVING NO CLASS

Week 14: The Late 20th Century and Criminal Justice

Tue, Dec 3

--Tera Agyepong, "In the Belly of the Beast: Black Policemen Combat Police Brutality in Chicago, 1968-1983," *Journal of African American History* 98 (Spring 2013), 253-276.

Thu, Dec 5

--OJ: Made in America screening

Week 15: Presentations

Tue, Dec 10

Poster Session

Week 16

December 15

Final Paper Due