Few debates in American society today are as emotionally charged as the issue of the death penalty. The United States is almost alone among democracies in its continued use of capital punishment. After a brief hiatus in the early 1970s, the death penalty has been reintroduced in most political jurisdictions, and this to the applause of a large majority of citizens. It has become a pivotal issues helping to decide elections; it seems that no politician can be elected to national office who opposes the practice. Yet executions themselves are now so routine that they seldom attract much attention. Nonetheless, a vocal minority of the population continues to condemn capital punishment. With an intensity equal to that of the proponents of death, they argue that it is unjust and immoral. They gain support when the press reports bungled executions or flawed convictions of those on death row. Like so many of the controversies that polarize this society, this one goes on as if we had discovered the issue for the first time, and as if no other experience than the American matters to the dispute. The goal of this course is to demonstrate that the death penalty has a history, and that this history can contribute to the contemporary debates over the subject. More significantly, the shifting attitudes towards the death penalty reveal deeper and more profound currents working within American culture. The controversy exposes changing views on life and death, justice and vengeance, class and race.

Four hundred years ago the public execution excited every bit as much interest as today. It was one of the most symbolically powerful events mounted by the governments of early modern Europe. The ceremony was surrounded with royal and religious imagery. Offenders were executed for a wide range of offenses including property crimes. The spectacle attracted large crowds. Then in the eighteenth century there arose a major assault upon the prominence of the gallows in western Europe and colonial America. Critics challenged the extent of the punishment and raised doubts about the moral justification for the sanction. Within a surprisingly brief period capital punishment was abolished for property crimes, and succeeding decades saw the gradual elimination of public executions. By the mid-nineteenth century the penalty was largely reserved for cases of murder. The number of executions in most western societies fell off rapidly. The tide of reform, however, stopped short of the total abolition of the punishment. The grim fate of the murderer excited public interest in new ways, at first through literature and newspapers, later through the movies. In America, the early twentieth century saw great interest in new technologies for execution of the condemned such as the electric chair and the gas chamber. Following the end of World War II, and especially following the revelations of the death camps, many European countries abolished the death penalty entirely. Although polling evidence suggests that in some countries a majority of the population would support its return, the political establishment in every European nation has resisted the resurrection of the penalty.

In the US, however, the story of the death penalty has taken a different path. In part the divergence has its roots in history. It is a question of regions and the relations among them. While the northern and midwestern states followed a pattern somewhat like that of Europe, the west, and especially the south, pursued a distinctive trajectory. This difference has been dramatically marked in the post 1970s period. The most obvious source of this peculiar history lies in character of race relations in this country. This issue, however, will not entirely explain the nation's commitment to death. Rather one must also look at the cultural distinctions that mark America, the place of violence in the nation's cultural mythology, the importance of the gun culture, and the rise of a powerful fundamentalist religious impulse influencing the approach to social problems. Additionally, the politics of the death
penalty in America points to the importance of considering the political structures of the nation, and the peculiar centrality of law and order issues in the late 20th century.

This complicated history of the changing relation of various societies to the death penalty is the theme of this course. Our initial task is to understand the most important features of this story, both the meaning of the death penalty in early modern times and the often contradictory history of its gradual abolition over three centuries in western societies. Our central project is to explore the evidence of American exceptionalism, looking for its regional and cultural sources, even as we try to understand the extraordinary prominence the question has achieved since the 1970s.

Reading List:
Daniel Cohen, Pillars of Salt, Monuments of Grace
Truman Capote, In Cold Blood
Scott Turow, Ultimate Punishment
Hugo Bedau & David Cassell (eds.), Debating the Death Penalty
There are many websites that contain useful information on the death penalty. One of the best is the Death Penalty Information Center.

Videos: (we will be watching some of these videos in class)
Dead Man Walking (students should view this film on their own)
Birth of a Nation
The Thin Blue Line (dir. Errol Morris, 1988)
Fury
"The Execution" (Frontline)
Scottsboro: American Tragedy
Lynching in Marion
Into the Abyss

Course Structure:
This course will be taught in a lecture-discussion format. The instructor will present some material through lecture. A significant portion of class time, however, will be devoted to a discussion of the readings and the videos. Students are expected to complete assignments on time and to participate in class discussions. All assignments will be posted on the course website. Students will be evaluated on the basis of two short papers (30% each) and a final exam (40%).
The subject of this course, the death penalty, arouses powerful feelings. Students are expected to respect each other's opinions. Some of the movies and photos we will be looking at are painful to see. I will be warning you in advance of potentially disturbing images or descriptions.

Course Objectives:
In this History course we have a number of different objectives. First and foremost, I want you to become familiar with the period we will be studying. This means not only learning such things as names, dates, and major economic, political, or intellectual trends, but also seeking to understand what shaped particular historical moments and exploring how people experienced them. One of the ways we approach the subject is through original sources, and in this course you will learn how to analyze and use such documents to build historical arguments. You will be taught how to read carefully and critically. Our goal is to learn that reading is not a passive activity, but rather one that requires constant alertness and a questioning mind. In the exams and papers you will be called upon to write in this class, you will be encouraged to develop the ability to organize a carefully reasoned argument or thesis out of
You will be expected to develop a position and defend it with well-chosen evidence. These skills -- the analysis of complex situations, reading with a critical eye, and the composition of well developed essays -- will serve you well as you look forward to life beyond the university.

Course Outline:

Sept. 30  Why the death penalty?
Oct. 2    "Fury" -- the question of vengeance
Oct. 7    The spectacle of punishment in early modern Europe
Oct. 9    Religious foundations of punishment  Cohen, 1-114
Oct. 14   Theories of crime and scenes of horror  Cohen, 117-253
Oct. 16   Paradoxes of reform  Paper Due
Oct. 21   American counterpoints: the Southern experience of race and law
Oct. 23   Looking at lynching
Oct. 28   "Scottsboro" and American justice
Oct. 30   The political trial and 20th century justice  Paper Due
Nov. 4    WWII, the death camps, and the politics of reform  Camus essay
Nov. 6    Violent dreams and the place of outsiders in America  Capote
Nov. 11   The Supreme Court and the death penalty
Nov. 13   The changing politics of capital punishment
Nov. 18   Defending the death penalty  Bedau & Cassell, ch. 1, 3, 5, 7
Nov. 20   On death row  "The Execution"
Nov. 25   Challenging capital punishment  Bedau & Cassell, ch. 2, 4, 6
discussion of "Dead Man Walking"
Nov. 27   Thanksgiving  (no class)
Dec. 2    The question of innocence  Turow
discussion of "Thin Blue Line"
Dec. 4    Punishment in 21st century America