

FAMOUS TRIALS

01:512:216 (3 credits) Core: CC, HST

Professor Paul G. E. Clemens, History

Famous Trials can be used to fulfill the Core Curriculum goals of Contemporary Challenges (CC) and Historical Analysis (HST).

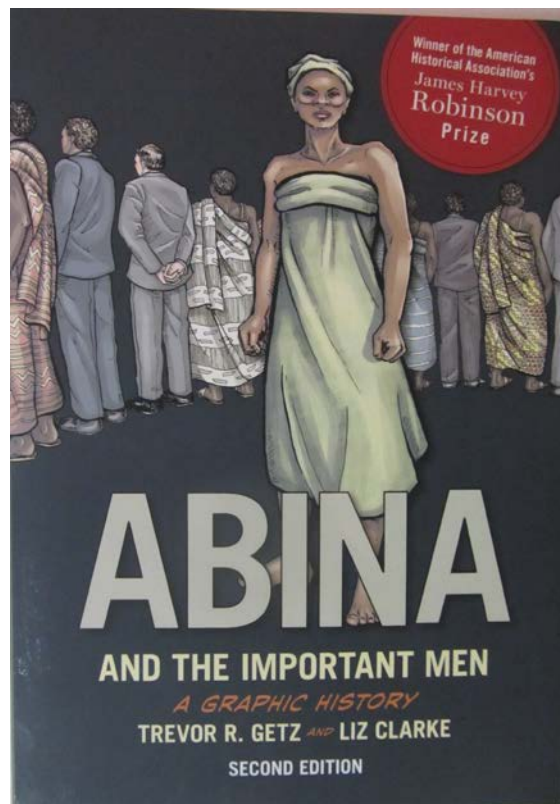
How do courts balance the rights of citizens with the security of the nation? If justice is blind, how can this balance change over time? What can we learn about justice from famous trials: trials that capture national attention and are debated beyond the courtroom in the court of public opinion while being covered relentlessly in the press? How and why do the ways courts, law enforcement, judges, and juries deal with such questions as free speech, racial justice, national security, and appropriate punishment change? What

social, political, and economic forces shape the possibilities of legal justice?



Famous Trials provides a historical and global perspective on the role of trials in defining our conceptions of rights and liberties. We will focus on several landmark American cases from the colonial period through the late 20th century. Each of these cases will be paired with a contemporary trial receiving intense public scrutiny that raises

parallel issues about rights, liberties, politics, and punishment. For example, Lambdin Milligan's Civil-War-era trial before a military tribunal and his Supreme Court appeal provides historical context for examining the situation of Guantanamo detainees today. The Scottsboro case in Depression-era Alabama raises issues about racial injustice in 21st-century murder trials. Additionally, trials from 17th-century England, 19th-century Africa, and British colonial India, among other jurisdictions, will allow us to develop a global context to examine how contemporary legal notions of rights and justice differ from, and are similar to, traditions in other cultures. We will explore these issues by examining trial transcripts; responding to documentary and feature film clips about trials; reading literary depictions of cases; examining the media coverage of cases and its impact on justice; and considering constitutional arguments advanced about individual rights.



This course is particularly recommended for students thinking about majors or minors in American studies, criminal justice, history, political science, sociology, and women's and gender studies and. The course carries credit for a history major and minor.

Books include: Trevor R. Getz and Liz Clarke, *Abina and the Important Men: A Graphic History* (2015) ISBN: 978-0190238742 .

Richard Polenberg, *Fighting Faiths: The Abrams Case, The Supreme Court, and Free Speech* (1987) Press. ISBN: 0-8014-8618-1.

Rick Geary, *The Lives of Sacco and Vanzetti* (2015) ISBN: 978-1-5616-3936-6

Alan Ryan, *Yamashita's Ghost; War Crimes, MacArthur's Justice, and Command Accountability* (2014) ISBN: 978-0-7006-2014-2