LEGAL HISTORY
FALL SEMESTER, 2010
Thursday: 5:00 pm
Room 240A

Frederick K. Grittner
Home: 651-739-7744
Work: 651-297-5529
fgrittner@comcast.net

Statement of Purpose

This course will deal with American legal history during the period 1845 to the present. I want us to explore the development of criminal law, family law, and business law, as well as to examine some legal theory. Issues of race, class, gender, and ethnicity will play a major part in this course. We will identify core concepts that continue to be a part of our legal and political discourse.

Readings

Kermit Hall and Peter Karsten, *The Magic Mirror: Law in American History, 2nd Edition.*
Kermit Hall, Paul Finkelman, and James Ely, Jr., *American Legal History, 3rd Edition.*

Requirements

I have designed this course to maximize student participation. There will be no exam, but I do require the following: (1) That you attend every class and come prepared. (2) That you bring to each class a question or reflection, in writing, that you have developed from the readings. I will call on students to share these with the class. (3) That you fully participate in class discussion. (4) That you prepare a 10-12 page critical book review of a biography of a figure in American legal history. (5) That you make a brief presentation on your paper to the class as part of a panel. The paper is due December 7.

SCHEDULE

August 26: Introductions; Background; Key Concepts
MM, Prefaces to ALH, Introduction, 1-6

September 2: Early American Legal History: An Overview
MM, 7-69
ALH, 51-79

September 9: Growth of American Law in the New Republic
MM, 70-112
ALH, 80-113

September 16: The Common Law and the Economy

MM, 113-141
ALH, 118-160

September 23: Race, Slavery, and Nineteenth Century Law
MM, 142-167
ALH, 187-263

September 30: Gender and Domestic Relations
MM, 168-186
ALH, 264-283

NAME OF LEGAL BIOGRAPHY DUE TODAY

October 7: **NO CLASS**

October 14: Crime and the Definitions of Deviance
MM, 187-207
ALH, 284-303

October 21: NO CLASS Fall Break

October 28: The Development of the Legal Profession
MM, 231-246
ALH, 304-352

November 4: Business and Labor in the Late Nineteenth Century
MM, 208-230, 246-267
ALH, 353-399

November 11: The Formation of Liberal Legal Culture
MM, 268-289
ALH, 400-454

November 18: The Great Depression and the Emergence of Liberal Legal Culture
MM, 291-309
ALH, 455-494

November 30: Panel Presentations

December 2: Panel Presentations

December 7: Law and Society in the Cold War Years
MM, 310-340
ALH, 495-557