

Law and Society in American History, 1620-1877
HIS 371

Professor Donna Rilling

Satisfies: SBC, DIV, SBS+

Tu/Th, 1:15-2:35

This course examines the interaction between law and society in America from the period of European colonization through the mid 19th century. Some of the themes we will examine are: interaction between native and European legal systems; adoption and adaptation of European law, particularly English and Dutch law, to the circumstances of the American colonies; development of the profession of law; shifts in women's legal status and their relationship to everyday practices and opportunities for women; transformations in the law of servitude, slavery, race, and emancipation; and the role of political ideology and events in shaping American law. Witches, judges, women, lawyers, laborers, Native Americans, African Americans, servants and slaves are some of the groups we encounter in assessing the forces that shaped American legal culture and its institutions. The course is not about famous landmark court decisions, but about the everyday laws, beliefs, assumptions, and legal structures that affected people's lives. The course assumes no prior knowledge of law. As an upper-division course, it does assume some background in historical approaches, how to read primary documents and secondary works (books and essays), and how to go about writing an essay. The official pre-requisite for this course is U3 or U4 status; the advisory prerequisite is HIS103 (U.S. history to 1877). The reading, writing, and other expectations are commensurate with an upper-division history course. The reading averages approximately 55 pages weekly.