

*HIST 450*  
*Slavery, Freedom, and American Law*  
*University of Nebraska*  
*William G. Thomas III*  
*Spring 2018*

Office Hours:           MW 12:30-1:20 p.m.  
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*Course Description*

This advanced research seminar investigates a central paradox in American history--how the rise of liberty and equality in American law was accompanied by the rise of slavery in American law. This subject is one of the most dynamic and exciting in the discipline of history today. Universities and other institutions are studying their own role in enslavement. And new research on the history of American law raises major questions about previous interpretations. We will proceed in our investigation with the following two-fold premise: *the law neither inexorably ended American slavery nor self-evidently upheld American freedom*. Instead, legal actors--enslaved people, enslavers, lawyers, judges, witnesses, jurors, legislators, and government officials--used the law to advance particular strategies of freedom making, enslavement, and slaving. Our job is to uncover their stories, to make their actions visible, and to analyze the situations they encountered.

You will undertake a semester-long research project on a specific research question related to the theme of the seminar. You may work on any aspect of the relationship between slavery, freedom, and American law from the colonial period to the contemporary period. You will select your research question in consultation with me, compile an annotated bibliography, conduct research, collect evidence, write a first draft, and submit a final draft of an interpretive analysis of your research. The expected outcome in this course will be a 20-25-page research paper based on primary sources using *Chicago Manual of Style* (15th ed.) citation. In preparation for this project you will also complete a series of short two-page assignments.

We will learn research methods and practices of history. When feasible, we will work with archival materials. We will also work directly with the vast new databases and materials available online, from *Internet Archive* to *Proquest*. We will concentrate on sources that document the legal history of slavery and freedom including tens of thousands of records that have been digitized, such as newspaper articles, books, magazines, photographs, legal records, and other original documents. To ground our research we will read and discuss samples of some of the latest interpretive work in the history of slavery, freedom, and American law.

This course is a capstone seminar required of History majors and fulfills the ACE 10 general education requirement.

*Course Objectives:*

- To create a community of scholars and teachers who learn from others.
- To give students the experience and opportunity to do history for themselves and participate in history through gathering evidence, communicating ideas, and engaging with historical scholarship.
- To improve fluency and proficiency in writing for the discipline of history.
- To develop a thorough knowledge of the research process and grounding in the methodologies of historical research, analysis, and presentation.
- To write or produce a work of historical scholarship grounded in primary source evidence and organized around a sophisticated and compelling thesis that engages with the latest historiography.

*ACE Statement:*

This course is an ACE 10 certified course:

**ACE 10**

Generate a creative or scholarly product that requires broad knowledge, appropriate technical proficiency, information collection, synthesis, interpretation, presentation, and reflection.

*Office Hours:*

Students are welcome to come by regular office hours MW 12:30-1:20 p.m. to discuss the course, the history major, assignments, or other academic issues. Students are also welcome to schedule a meeting outside of office hours.

*Academic Policies:*

*Attendance:* Attendance at all lectures and class periods is required. Note taking in class is strongly encouraged.

*Timely Completion of Work:* Essays and assignments will not be accepted in email format or as attachments, unless otherwise specified. Hard copy should be handed in at the class session they are due. Assignments will not be accepted after the due dates except in cases where students can document an illness, family emergency, or university-related responsibility that prevented them from completing the assignment on time. Late assignments will result in half letter grade penalty each day that they are overdue.

*Communication:* Students are expected to use Blackboard in this course and to follow their email correspondence regularly during the semester to stay informed on any changes in the course syllabus.

*Academic Resources:* The University of Nebraska-Lincoln Writing Center can provide you with meaningful support as you write for this class as well as for every course in which you enroll. Trained peer consultants are available to talk with you as you plan, draft, and revise your writing. Please check the Writing Center website for locations, hours, and information about scheduling appointments. (<http://www.unl.edu/writing/>)

*Academic Accommodation:* Students with disabilities or in need of academic accommodation are encouraged to contact the instructor for a confidential discussion of their individual needs for academic accommodation. It is the policy of the University of Nebraska-Lincoln to provide flexible and individualized accommodation to students with documented disabilities that may affect their ability to fully participate in course activities or to meet course requirements. To receive accommodation services, students must be registered with the Services for Students with Disabilities (SSD) office, 132 Canfield Administration, 472-3787 voice or TTY.

*Academic Integrity:* All students are expected to adhere to the University policies regarding academic honesty set forth in the Undergraduate Bulletin. Cases of academic dishonesty (plagiarism, cheating, misrepresentation) will be handled in strict accordance with the guidelines of the University. A violation of academic integrity will result in an F for the course.

*Academic Freedom:* Academic freedom of expression is essential to reasoned discourse, learning, and scholarship. Students will be expected at all times to engage in analysis and discussion in an atmosphere of cordiality, respect, honor, and dignity. Students will be expected to consider complex issues and controversial topics with respect for views that may differ from their own. Students should be familiar with and consult the following important resources in the Office of Student Affairs at the University of Nebraska, describing the rights and responsibilities of both students and faculty in the classroom:

1. The Student Code of Conduct-- <http://stuafs.unl.edu/ja/code/>
2. The Student in the Academic Community--Classroom Rights and Responsibilities <http://stuafs.unl.edu/ja/community/two.shtml>

*Required Reading:*

Holly Brewer, "Slavery, Sovereignty, and 'Inheritable Blood': Reconsidering John Locke and the Origins of American Slavery," *American Historical Review* (October 2017)--in Oxford Journals (through library)

Melvyn Patrick Ely, *Israel on the Appomattox, A Southern Experiment in Black Freedom from the 1790s to the Civil War* (Vintage, 2005)

Walter Johnson, "Resettling the Legal History of Slavery: Divination, Torture, Poisoning, Murder, Revolution, Emancipation, and Re-enslavement," Special Issue: Law, Slavery, and Justice, *Law and History Review* (Fall 2011)--in Jstor (through library)

Melton McLaurin, *Celia, A Slave* (Avon, 1999)

[Patrick Rael, "Reading, Writing, and Researching for History: A Guide for Students" \(Bowdoin College, 2004\)](#)

Adam Rothman, *Beyond Freedom's Reach: A Kidnapping in the Twilight of Slavery* (Harvard University Press, 2015)

#### *Helpful Links and Resources:*

[Chicago Manual of Style Online, Citation Quick Guide](#)

Harvard University Department of History Guides:

[Citation and Notes](#)

[Selecting Sources and Presenting Evidence](#)

[Formulating an Argument](#)

Mary Lynn Rampolla, *A Pocket Guide to Writing in History*

#### *Films:*

*Amistad* (1997)

*Twelve Years a Slave* (2013)

*Belle* (2013)

*Django Unchained* (2013)

*Anna* (2018)

#### *Useful Web Sites:*

##### *Digital Collections*

American Memory, Library of Congress (<http://www.loc.gov>)

Internet Archive (<http://www.archive.org>)

National Archives and Records Administration ARC Search (NARA)  
(<http://www.nara.gov>)

\*Proquest Historical Newspapers

\*19th Century Newspapers  
Making of America, Cornell University Library  
(<http://digital.library.cornell.edu/m/moa>)  
Making of America, University of Michigan Library  
(<http://quod.lib.umich.edu/m/moagrp>)  
Documenting the American South  
(<http://docsouth.unc.edu/>)

*Digital History Projects*

The Valley of the Shadow: Two Communities in the American Civil War  
(<http://valley.vcdh.virginia.edu>)  
The Geography of Slavery  
(<http://www2.vcdh.virginia.edu/gos/>)  
North Carolina Runaway Slave Advertisements  
(<http://libcdm1.uncg.edu/cdm/landingpage/collection/RAS>)  
Legacy of Slavery in Maryland  
(<http://slavery.msa.maryland.gov/>)  
Voyages: The Trans-Atlantic Slave Trade Database  
(<http://www.slavevoyages.org/>)  
Race and Slavery Petitions Project  
(<https://library.uncg.edu/slavery/petitions/>)  
O Say Can You See: Early Washington, D.C., Law and Family  
(<http://earlywashingtondc.org/>)  
Georgetown Slavery Archive  
(<https://slaveryarchive.georgetown.edu/>)

*Contemporary Initiatives*

Universities Studying Slavery  
(<http://slavery.virginia.edu/universities-studying-slavery/>)  
Coming to the Table  
(<http://comingtothetable.org/>)  
Slavery Era Insurance Registry  
(<http://www.insurance.ca.gov/01-consumers/150-other-prog/10-seir/>)  
*In re: African American Slave Descendants Litigation*  
(<http://caselaw.findlaw.com/us-7th-circuit/1446515.html>)  
(\*UNL Libraries databases-- <http://www.unl.edu/libr/resources>)

*Grading:*

Attendance/Participation	25 %
Readings Assignments	25 %
Annotated Bibliography	10 %
First Draft	15 %
Final Essay and Presentation	25 %

*Schedule of Assignments:*

(note: all assignments and due dates are subject to change as necessary in the semester)

*Week One:*

1/8/18 Introduction to Course Objectives

1/10/18 Slavery and History

Discuss Walter Johnson, "Resettling the Legal History of Slavery: Divination, Torture, Poisoning, Murder, Revolution, Emancipation, and Re-enslavement," *Law and History Review* Special Issue: Law, Slavery, and Justice (November 2011)

*Week Two: Understanding the History of Slavery*

1/15/18 NO CLASS MLK Day  
Attend an Event and Write a Two-page Reflection to hand in

1/17/18 Discuss Melton McLaurin, *Celia, A Slave* (Avon, 1999)

**Schedule individual meetings to discuss your research question**

*Week Three: Understanding Sources and Evidence*

1/22/18 Finding Primary Sources Workshop in class (guest Liz Lorang)

1/24/18 Discuss Melvyn Patrick Ely, *Israel on the Appomattox, A Southern Experiment in Black Freedom from the 1790s to the Civil War* (Vintage, 2005)

Hand in two-page analysis of Ely's thesis and evidence--what is Ely's thesis and what evidence does he use? how does he use evidence to advance his thesis?

**Individual meetings to discuss and identify your research question**

*Week Four: Understanding a Research Question and Argument*

1/29/18 Formulating a Research Question Workshop in class

Patrick Rael, "Reading, Writing, and Researching for History"  
Historical Arguments

1/31/18

Discuss Holly Brewer, "Slavery, Sovereignty, and 'Inheritable Blood': Reconsidering John Locke and the Origins of American Slavery." *American Historical Review* (October 2017)

Hand in two-page analysis of Brewer's research question--what is her research question? what is her historical argument? how is her argument useful?

**One-page Statement of Research Question due Friday 2/2 5 p.m.**

*Week Five: Conducting Research*

2/5/18 Research Methods Workshop in class

Patrick Rael, "Reading, Writing, and Researching for History"  
Research

2/7/18 Research Methods in the Archives TBA

*Week Six: Finding Your Voice--and the art of argument*

2/12/18 Writing Workshop in class

Patrick Rael, "Reading, Writing, and Researching for History"  
Writing Your Paper--The Scholarly Voice

2/14/18 Present and Discuss Adam Rothman, *Beyond Freedom's Reach: A Kidnapping in the Twilight of Slavery* (Harvard University Press, 2015)

Hand in two-page analysis of Rothman's thesis and evidence--what is the research question, what does Rothman do with respect to existing scholarship? what rhetorical approach does he use and why? how is his scholarly voice effective?

**Annotated Bibliography of Primary and Secondary Sources due Friday 3/16 5 p.m.**

*Week Seven: Slavery, Freedom, and American Law in Film and Art*

2/19/18 Discuss Amistad (1997), Twelve Years a Slave (2013), Belle (2013), Django Unchained (2013), and Anna (2018)--each team chooses a scene to discuss in class

2/21/18 Tour of the Sheldon Museum of American Art

Hand in two-page analysis on Friday--how do contemporary artists and filmmakers interpret the history of slavery, freedom, and law? what historical arguments are they concerned with?

*Week Eight: Knowing Your Sources*

2/26/18 Presentations of Your Research Question and Sample Sources

2/28/18 Presentations of Your Research Question and Sample Sources

*Week Nine: Working with Your Sources*

3/5/18 Workshop: Solving Research Problems and Primary Sources

3/7/18 Workshop: Citation and Presentation of Primary Sources

**Introductory thesis paragraph due Friday 3/9 5 p.m.**

*Week Ten: Independent Research*

3/12/18 Individual consultations and meetings

3/14/18 Individual consultations and meetings

**Revised and rewritten introductory thesis paragraph due Friday 3/9 5 p.m.**

*SPRING BREAK March 17-25*

*Week Eleven: Research and Writing*

3/26/18 State of Research Presentations--Primary Sources

3/28/18 State of Research Presentations--Primary Sources



*Week Twelve: Research and Writing*

4/2/18 State of Research Presentations--Thesis and Outline

4/4/18 State of Research Presentations--Thesis and Outline

*Week Thirteen: Independent Research and Writing*

4/9/18 Individual consultations and meetings

4/11/18 Individual consultations and meetings

**First Draft due Friday April 13th 5 p.m.**

*Week Fourteen: Editing and Revising*

4/16/18 Individual consultations and meetings

**Reader's Comments due Wednesday April 17th 5 p.m.**

4/18/18 Individual consultations and meetings

*Week Fifteen: Final Research Presentation*

4/23/18 Final Presentation of Research

4/25/18 Final Presentation of Research

Exam Week:

**Final Papers due Monday April 30th 5 p.m.**