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Reimagining Indian Country: Native American Migration and Identity in Twentieth-Century Los Angeles

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Unlike all its New England neighbors, capital punishment is and always has been legal in Connecticut. Yet in modern times a contradiction has resulted. The death sentence is on the books, but it has only been carried out twice since 1960, and both times the person executed wanted it.

This peculiar set of historical circumstances is at the core of Lawrence B. Goodheart’s comprehensive examination of capital punishment in Connecticut since 1636. In it we learn something about all of the 158 people put to death by the state in its history, and a number of others who were spared execution after receiving the sentence. Along the way Goodheart tells us some fascinating things. For example, the rejection of evidence by the court in the reversal of the last witchcraft convictions in 1692 was based on its substantive inadequacy, not procedural error. Before that nine women and two men were hanged for it, the last in 1663. Nine of the nineteen women executed in the history of Connecticut were convicted of witchcraft. Also, non-whites were overrepresented among the executed from 1700–1782, when nine of the ten were Indian or black. The original creation of degrees of murder in 1846 was a compromise designed to limit but protect capital punishment from its increasing number of critics. As recently as 2005, among the roughly half the population that supported capital punishment, fifty-seven percent did so for reasons of retribution and only ten percent for deterrence.

For the most part, though his book teems with details peculiar to Connecticut, Goodheart tells a familiar story. Capital punishment was widely practiced for homicide, sexual misbehavior, and witchcraft early in the seventeenth century and was legal for several other offenses. As the colony grew in the eighteenth century, concerns for social order outweighed moral ones, and the criminal code began to change. Common law, not scripture, became its basis. The number of capital offenses fell considerably by 1750, as did the pace of conviction and execution. During the late eighteenth century the first objections to capital punishment were raised, notably by reformers responsible for the rise of informed criminology stoked the hysteria. Executions continued through the 1940s, if at a reduced pace, and after 1937 by means of electrocution.

Beginning in 1949 Connecticut’s story became inescapably national, when debates over capital punishment and increasing federal intervention in its practice led to an unofficial moratorium on execution until 1955. Still Connecticut never abolished it. Five people were executed in the late 1950s and two since, one in 1960 and one in 2005, both serial killers who asked to die. Federal oversight, U.S. Supreme court cases, and spirited opposition from many in Connecticut have kept the practice controversial and extremely rare, despite the failure ever to enact its abolition.

Goodheart makes this all clear, and does so compellingly when narrating at length the cases of the last two men to be executed, or the gruesome experience of being hanged or electrocuted to death. But though full of information, the book is too often descriptive and taxonomic, too rarely analytical. Goodheart makes too little use of the vast social history that toughes on crime and criminal law in the United States that would help contextualize the changes he examines in Connecticut and better explain Connecticut’s exceptionalism. He fails to examine in depth some of the larger implications of his findings: that, for example, the sustained support for capital punishment in the state is primarily based on the spirit of vengeance, in the context of a legal culture supposed to be rooted in justice. Most importantly, Goodheart never builds any narrative force in explaining the main historical problem he identifies: a death penalty that is “contradictory in principle and unworkable in practice” (p. 2). This useful book would benefit from a greater effort to explain, for example, how the rising number of commutations before the Civil War helped establish a pattern that would become the state’s dominant one, retaining capital punishment but making it virtually impossible to employ.

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The study of the colonial-era indigenous Southeast is currently enjoying something of a renaissance. For decades, the region lagged behind others in attracting scholarly attention. Recently, a cadre of able practitioners, many early in their careers, has begun to correct the imbalance. With this book, Tyler Boulware has secured a place among the leading lights of what might be called the New Southeastern Indian History.

The book begins with a clear outline of its organization and follows a chronological path through the eighteenth century, concluding in the era of the American War of Independence. The epilogue summarizes...