The Court Archive:
Decator Campbell, Self-Defense, and Race

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In 1854, four men attacked Decator Campbell in his home in Massac County. At the time of the attack, Campbell's wife and daughter were in the home. One of the attackers, Goodwin Parker, grazed Campbell's head with a hatchet. Campbell (or his wife or daughter) grabbed a knife and stabbed Parker, who died after a few minutes. Campbell was arrested for the murder of Parker. At his trial in June 1854, he was found guilty in what should have been a clear case of self-defense. Decator Campbell was Black; Goodwin Parker was white. The crime occurred in 1854 when Black codes in Illinois dictated the lack of rights of Africans Americans

During the trial, the circuit judge approved one jury instruction on behalf of the prosecution and denied two instructions on behalf of the defense. The approved jury instruction removed Campbell's right to plead self-defense. The first refused instruction cast doubt on who actually stabbed Parker—was it Campbell, his wife, or his daughter? Regardless, since the jury could not definitively conclude who stabbed Parker, Campbell should be found not guilty. The second refused instruction was "It is the duty of the jury to consider the prisoner's case as if he were a white man, for the law is the same, there being no distinction in its principles in respect of color."

Campbell appealed the case to the Illinois Supreme Court in *Campbell v. People*, 16 Ill. 17 (1854). Justice John Caton wrote the unanimous opinion for the Court reversing the circuit court's guilty verdict. Regarding the prosecution's approved jury instruction against self-defense, Caton wrote "this instruction, if not absolutely wrong, was at least liable to misconstruction. If the defendant was pursued or assaulted by the deceased in such a way as to induce in him a reasonable and a well-grounded belief that he was actually in danger of losing his life, or suffering great bodily harm, when acting under the influence of such reasonable apprehension, he was justified in defending himself, whether the danger was real or only apparent."

Regarding the first refused instruction as to who actually stabbed Parker, Caton wrote, "this instruction contains an important principle of law of the benefit of which the prisoner should not have been deprived. There was evidence tending to show that the mother and sister of the prisoner were at or very near the place of the affray, that one of them struck the blow without Campbell's knowledge; and had the jury so far concurred in that view of the case as to entertain

a reasonable doubt whether one of the others did not strike the blow without the procurement of the prisoner, he was entitled to an acquittal.

Lastly, the second refused instruction concerning Campbell's race, Caton wrote, "the instruction asserts the absolute equality, in all respects, under our law, of the black man with the white. The jury was asked to be directed to consider the prisoner's case as if he were a white man, for the reason that our law makes no distinction in respect of color. Any other construction of that instruction is altogether too refined for practical justice. The instruction should have been given."

It is not known what happened at the remanded case in Massac County.

In its basic sense, self-defense is defined as a person using reasonable force when it is justifiably necessary to prevent an impending injury. Campbell's case met that principle easily. After the ruling in the Illinois Supreme Court, nearly every state in the country adopted the self-defense standard in *Campbell v. People*, most recently cited in the Illinois Appellate Court case of *People v. Jenkins*, 2019 IL App (2d) 170785-U. Interestingly, this principle likely would not have come up in the *Campbell* case if Campbell were white—he would have been acquitted in the circuit court, and this case never would have been appealed.