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Teacher's Guide

The Ox-Bow Incident

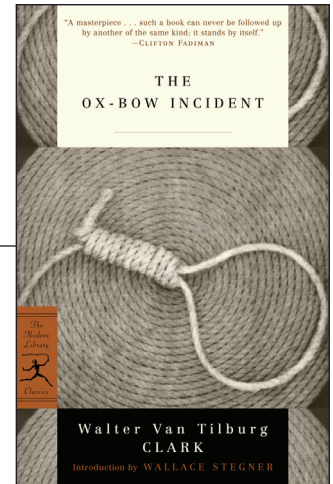
by Walter Van Tilburg Clark

Introduction by Wallace Stegner

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Reading Level: 9.4



• about this book •

about this guide

Set in 1885, *The Ox-Bow Incident* is a searing and realistic portrait of frontier life and mob violence in the American West. First published in 1940, it focuses on the lynching of three innocent men and the tragedy that ensues when law and order are abandoned. The result is an emotionally powerful, vivid, and unforgettable re-creation of the West, which Clark transmuted into a universal story about good and evil, individual and community, justice and human nature. *The Ox-Bow Incident* grapples with the question of justice through an in-depth discussion of the lynching of alleged criminals. It is a story of the West and of crime and punishment. When combined with a social studies interdisciplinary curriculum, students can examine the issues of citizenship and questions surrounding Habeas Corpus.

When teaching about America's great expansion westward and Manifest Destiny, teachers may want to keep in mind the diverse themes of the time period. *The Ox-Bow Incident* can be taught along with other novels, such as *My Antonia* by Willa Cather, when teaching about America's pioneers. Students can discover varying perspectives, themes, and content from an interdisciplinary perspective which yields greater depth and understanding of the challenges and struggles of Westward Expansion.

Significant themes—such as justice, law and order, and the role of the bystander—discussed in *The Ox-Bow Incident* offer teachers and students provocative material to examine. The following discussion and writing sections divide the novel into readable portions of approximately 30 pages, offer a brief plot summary, and provide questions for teachers to use in discussion and writing assignments.

• teaching ideas

note to teachers: Combining novels in the classroom offers students a chance to explore topics in greater depth. It also allows students to make connections, think critically, and create hypotheses. The following ideas can be used for teaching *My Antonia* and *The Ox-Bow Incident* using interdisciplinary group work, research, and writing, or experiential learning techniques.

book groups.

Divide the class into two groups—one for each novel. Each student would be assigned a specific task to perform in order for the group to function effectively, for example: reader, note taker, presenter, energizer, etc. A specific question or aim for the day would serve as the focus for the day's lesson. For example, focus on a specific theme central to both novels (the role

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of the pioneer, expansion, time period, character relationships, and religion). Questions of the day may include: How is justice best served? How do characters tame an unsettled land? The groups would determine how their novel interprets the theme. To assess group work and share learned information, students should present their findings to the other book teams.

suggested activities

interdisciplinary research.

Pose the following question to students: Did law and religion bring order to the West at the end of the 1800s? Students can research the historical concepts of the novels, such as Manifest Destiny and Habeas Corpus by using historical and literary evidence.

character analysis.

Characters in both novels react to the taming of the West in varying degrees. Have students create a scale of characters from most radical to most conservative. Then, have students compare and contrast the role of the characters in the novel. For example, Jim Burden and Mr. Davies or Ambrosch and Tetley could be compared and contrasted. Students should use evidence and quotes from the novel to defend their case.

the authors.

Are the authors' portrayals of Western America in the late 1800s accurate? Have students research the biography of the authors of *My Antonia* and *The Ox-Bow Incident* and compare their lives to photographs, news articles and stories about life during that time period. Have students develop a thesis and answer the question posed using historical and literary evidence.

artistic.

Have students choose a pivotal moment in either novel and draw it. Students should write a reflection on why they thought that the selected moment was pivotal to the novel. Post the illustrations around the room.

scene depiction.

Have students create a scene using the characters from the two novels together. The original scene could be based in the American West at the end of the 1800s or students could use a certain moment from either novel. For example, how would the grandfather from *My Antonia* convince Tetley not to lynch the three suspects in *The Ox-Bow Incident*? This would work best as a group activity. Have students act it out!

— discussion and writing

reading assignments

reading assignment #1 — Chapter 1, pages 3–29

The novel begins in a saloon in the Sierra mountains of Nevada. The first chapter's all-male cast of characters resembles a stereotypical scene of Western settlers with a seedy saloon, gambling, and a bar brawl. The reader may believe that the opening characters are a symbol of lawlessness, but towards the end of the first chapter, their reaction to the lynching of a friend—Kinkaid—and the rustling of their friend Drew's cattle reveal the frontiersmen's sense of justice.

questions:

What is lawlessness? How is law and order presented in the first chapter? How is the reader's perception of law and order affected by the news of the lynching at the end of the chapter? How is this book's portrayal different from other westerns?

reading assignment #2 — Chapter 2, pages 30–58

In this content-rich section, the group of men discuss the injustices caused by the murder of their friend, Kinkaid. The group argues passionately about how to handle it—should they form a posse? Seek quick revenge? Work through the law? Opposing sides form between Mr. Davies, Winder, and others seeking revenge.

questions:

The views of the many characters of this section can be confusing. Have students list the

characters' names and write/voice their views towards the following questions: What is justice according to the character? What should be done to avenge the killing of Kinkaid according to the character? Cite evidence and quote passages from the novel to support the view expressed. Students may also interpret the quote: "True law, the code of justice, the essence of our sensations of right and wrong, is the conscience of society." (p. 48)

reading assignment #3 — Chapter 2, pages 58–94

Characters discuss different views on justice for the killing of Kinkaid. Elements of racism are demonstrated in interactions with Sparks. Even though Sparks is treated inhumanely, he still decides to join in the quest for the killers. The debate between a fair trial and a lynching for the guilty turns towards fair trial with the advice of Mr. Davies and Judge Tyler—until Tetley and Amigo enter the story. Amigo had witnessed the rustling of Drew's cattle. Amigo witnessed three rustlers, riding towards the pass with cattle branded with Drew's signature. The eyewitness accounts convince the posse of riders to go after the rustlers since: 1. There was a small number of rustlers; 2. The cattle brand provides solid proof and 3; The posse knows where to find the killers.

questions:

What are the ways in which justice can be served? How do emotions win out over reason? How does the law impact the decisions of Farnley, Winder, Gil, and the narrator?

reading assignment #4 — Chapter 3, pages 95–140

As the posse rides towards the pass, they discuss justifications for killing the rustlers, but their feelings of fear and concern over what they are doing prevail over these concerns. The narrator has a disturbing conversation with Tetley's son, Gerald, about the immorality of punishing the criminals without a fair trial. The narrator's concern is that what they are doing is wrong, but at the same time, he can't overcome his desire to stay with the posse. As nightfall approaches, the riders approach Ox-Bow Valley. It begins to snow. The narrator, Croft, is wounded accidentally when he is shot by riders in a wagon heading through the pass.

questions:

Does the posse's quest represent a desire for justice, vengeance for Kinkaid's death, or a concern over appearances among the pack of riders? Ironically, the narrator of the novel is shot while on the path to find the killers. Identify the symbolism of the shooting of the narrator midway through the novel. Are the formation and plans of the posse an act of law and order or conversely, of lawlessness?

reading assignment #5 — Chapter 4, pages 141–165

The posse continues through the pass and finds three suspects who fit the description of the killers and rustlers. The posse ties up the suspects, Martin, the Mex, and Old Hardwick. Tetley interrogates them. Martin insists that they did not commit the crimes and insists on a fair trial so that justice be served. Mr. Davies is convinced of their innocence and attempts to defend them.

questions:

Is the questioning of the suspects fair and impartial? How do the varying characters' opinions affect the questioning? Do you think that Martin's group committed the crimes? In what different directions could the story go from this point?

reading assignment #6 — Chapter 4, pages 165–189

Evidence is found to suggest that the three men had killed Kinkaid: first, they had the cattle with Drew's brand and secondly, the Mex was carrying Kinkaid's gun. Martin is eager to write a letter to his wife and children to delay the hanging and express his final thoughts. He thus convinces Tetley to postpone the lynching until sunrise. During the night, Martin writes a letter to his wife and entrusts Mr. Davies to deliver it and take care of his wife after his death. Finally, at sunrise, Martin, the Mex, and Old Hardwick are hung.

questions:

Considering the evidence and Martin's words, do you think that the three suspects killed Kinkaid? If the evidence is in doubt, if they are concerned with short and swift justice, then what should the posse do to punish the criminals? What is the role of the bystanders, the members of the pack, in this situation?

reading assignment #7 — Chapter 5, pages 190–220

At the beginning of this chapter, Risley, the sheriff, is riding towards the posse with Kinkaid and

Drew. It is revealed that the three suspects were innocent. Drew had sold them the cattle. In the aftermath, Risley does not arrest any of the members of the posse. As a result, Gerald hangs himself, and his father, Tetley, follows by killing himself as well. Mr. Davies feels responsible for not stopping the lynching and turns to Croft to confess.

questions:

At the close of the novel, many have died and committed crimes for the sake of a crime that was not committed. Was justice served for the crimes that were committed? How could justice be served? Who was to blame for the killing of Martin, the Mex, and Old Hardwick? How should those to blame be punished? What is significant in Gerald and Tetley's suicides?

→ suggested activities

role-play activity

A discussion of trials prevails throughout *The Ox-Bow Incident* and yet one never takes place. Have students perform a trial to determine who is guilty in the lynching of Martin, the Mex, and Old Hardwick. Assign students character roles—Croft, Gil, Gerald, Mr. Davies, Osgood, Judge Tyler, Risley, Sparks, Amigo, Tetley, Ma, Bartlett, Farnley, Rose Mapen, Canby, Kinkaid, Drew, and Smith. Depending on classroom size, students may be assigned roles as lawyers and jurors as well. Students should build their cases using evidence from the book and should cite page numbers as references. As a means of assessment, students may write a reflection on the trial, the book, and their views on who is guilty.

interdisciplinary activity

The Writs of Habeas Corpus were added to the U.S. Constitution to ensure that suspects of crimes would receive a fair trial and be presumed innocent until proven guilty. There have been numerous cases in history and current events where the need for immediate justice battled with the need for fair and impartial justice. Split the class into groups. Have students research the following items and be prepared to present their findings to the whole class. Group 1: Research and present the Writs of Habeas Corpus using primary and secondary source documents. Group 2: Research and present current events cases where justice battled against fair and impartial justice (for example, the World Trade Center bombings and the trial of Timothy McVeigh). Group 3: Research and present cases in history where a fair trial saved innocent suspects. Note: A debriefing discussion should follow such a sensitive activity.

creative writing and interdisciplinary citizenship building activity

Another prevalent theme in *The Ox-Bow Incident* is the inaction of bystanders to an unjust action. Have students reflect and write individually on a time when they witnessed or knew of an injustice and did nothing to stop it. Have students discuss their examples in pairs. Then, have students present one point to the class about what their partner said. After the “think, pair, share” activity, have students research cases in history or current events where bystanders did not stop actions of injustice. Students may present their findings through primary source documents, photographs, newspaper articles, etc.

character analysis

The characters of *The Ox-Bow Incident* demonstrate a wide range of views on how justice should be served—from those in favor of a trial to those in favor of quick revenge. Have students list the characters of the novel and have them build a spectrum of characters from the most to the least law-abiding.

→ vocabulary

freemasonry — *n.*, natural fellowship based on some common experience

rein — *n.*, a strap fastened to a bit by which a rider or driver controls an animal

switchback road — *n.*, a zigzag road, trail, or section of railroad tracks for climbing a steep hill

sombrero — *n.*, a high-crowned hat of felt or straw with a very wide brim worn especially in the Southwest and Mexico

lode — *n.*, an ore deposit

rustle — *v.*, to steal cattle

lynching — *v.*, to put to death (as by hanging) by mob action without legal sanction

hustler — *n.*, a person who obtains money by fraud or deception

posse — *n.*, a body of persons summoned by a sheriff to assist in preserving the public peace usually in an emergency

reefer jacket — *n.*, a close-fitting usually double-breasted jacket or coat of thick cloth

carbine — *n.*, a short-barreled lightweight firearm originally used by cavalry

roundup — *n.*, the act or process of collecting animals (as cattle) by riding around them and driving them in

scapegoat — *n.*, one that bears the blame for others

ribald — *adj.*, characterized by using coarse or indecent humor

connivance — *n.*, knowledge of and active or passive consent to wrongdoing

sidle — *v.*, to cause to move or turn sideways

cavalcade — *n.*, a procession of riders and carriages

squatter — *n.*, one that settles on public land under government regulation with the purpose of acquiring title

omission — *n.*, apathy toward or neglect of duty

commission — *n.*, authority to act for, on behalf of, or in place of another

— about this guide's writer

OPHIR LEHAVY is a graduate of Teachers' College, Columbia University, with a Masters degree in Education and is a former NYC high school teacher. Her greatest joy in the classroom was creating innovative projects and assessments to energize her students.