

SLAVERY
AND THE
PENAL SYSTEM

J. THORSTEN SELLIN

CLASSICS OF LAW & SOCIETY

Slavery And The Penal System

Jean Bethke Elshtain, J. Timothy Cloyd



Slavery And The Penal System:

Slavery and the Penal System J. Thorsten Sellin, 2016-04-29 The classic and groundbreaking study of penal slavery throughout the ages is available again Previously a rare book despite the fact that it is widely quoted and cited by scholars in the field of sociology penology and criminology this book can now be accessed easily worldwide and be assigned again to classes Now in its fortieth anniversary edition Sellin's classic *Slavery and the Penal System* adds a new Foreword by Barry Krisberg at Berkeley This edition also incorporates changes the author originally planned for a second printing provided to Quid Pro Books by the Library Special Collections at Penn and authorized by his family Part of the Classics of Law Society Series from Quid Pro Books the anniversary edition also includes explanatory Notes of the Series Editor by Steven Alan Childress senior professor of law at Tulane University A book that has become a standard part of the canon in its field but over time grew to be too expensive for researchers and libraries to obtain is now easily downloaded in a well formatted ebook Other features include linked Contents and notes fully linked and paginated Index and close reading of the text against the original so that its legacy is properly and accurately presented This book traces the direct and indirect influences of the social institution of chattel slavery on the evolution of penal systems and practices in Europe and the United States a dismal story The author reveals the darkest and most brutal aspects of penal history and the social forces that resisted or nullified the efforts of reformers who sought to bring about humanization of the punishment The book shows that domestic punishments inflicted on slaves by masters later become legal punishments for crimes committed by low class freedmen eventually to become legal sanctions against offenders regardless of social status A dominant force is the class and caste structure of society that is reflected in the determination of what conduct should be defined as criminal who should be punished and what the punishment should be Topics include ancient Greece and Rome the Middle Ages in Europe galley slaves and naval arsenal prisons in maritime countries penal creation of public works the rise of houses of correction invention of the treadmill practices in England and Russia slavery in the antebellum South and twentieth century U S chain gangs penal farms and convict lease system

The Prison and the American Imagination Caleb Smith, 2009-09-22 How did a nation so famously associated with freedom become internationally identified with imprisonment After the scandals of Abu Ghraib and Guantanamo Bay and in the midst of a dramatically escalating prison population the question is particularly urgent In this timely provocative study Caleb Smith argues that the dehumanization inherent in captivity has always been at the heart of American civil society Exploring legal political and literary texts including the works of Dickinson Melville and Emerson Smith shows how alienation and self reliance social death and spiritual rebirth torture and penitence came together in the prison a scene for the portrayal of both gothic nightmares and romantic dreams Demonstrating how the cellular soul has endured since the antebellum age *The Prison and the American Imagination* offers a passionate and haunting critique of the very idea of solitude in American life

Criminal Injustice Glenn McNair, 2009-04-20 Criminal Injustice Slaves and

Free Blacks in Georgia's Criminal Justice System is the most comprehensive study of the criminal justice system of a slave state to date McNair traces the evolution of Georgia's legal culture by examining its use of slave codes and slave patrols as well as presenting data on crimes prosecuted trial procedures and practices conviction rates the appellate process and punishment Based on more than four hundred capital cases McNair's study deploys both narrative and quantitative analysis to get at both the theory and the reality of the criminal procedure for slaves in the century leading up to the Civil War He shows how whites moved from the utopian innocence of the colony's original Trustees who envisioned a society free of slavery and the depravity it inculcated in masters to one where slaveholders became the enforcers of laws and informal rules the severity of which was limited only by the increasing economic value of their slaves as property The slaves themselves regarded under the law both as moveable property and for the purposes of punishment as moral agents had inevitably a radically different view of Georgia's slave criminal justice system Although the rules and procedures were largely the same for both races the state charged and convicted blacks more frequently and punished them more severely than whites for the same crimes Courts were also more punitive in their judgment and punishment of black defendants when their victims were white a pattern of disparate treatment based on race that persists to this day Informal systems of control in urban households and on rural plantations and farms complemented the formal system and enhanced the power of slaveowners Criminal Injustice shows how the prerogatives of slavery and white racial domination trumped any hope for legal justice for blacks

Slaves of the State Dennis Childs, 2015-02-27 The Thirteenth Amendment to the United States Constitution passed in 1865 has long been viewed as a definitive break with the nation's past by abolishing slavery and ushering in an inexorable march toward black freedom Slaves of the State presents a stunning counterhistory to this linear narrative of racial social and legal progress in America Dennis Childs argues that the incarceration of black people and other historically repressed groups in chain gangs peon camps prison plantations and penitentiaries represents a ghostly perpetuation of chattel slavery He exposes how the Thirteenth Amendment's exception clause allowing for enslavement as punishment for a crime has inaugurated forms of racial capitalist misogynist incarceration that serve as haunting returns of conditions Africans endured in the barracoons and slave ship holds of the Middle Passage on plantations and in chattel slavery Childs seeks out the historically muted voices of those entombed within terrorizing spaces such as the chain gang rolling cage and the modern solitary confinement cell engaging the writings of Toni Morrison and Chester Himes as well as a broad range of archival materials including landmark court cases prison songs and testimonies reaching back to the birth of modern slave plantations such as Louisiana's Angola penitentiary Slaves of the State paves the way for a new understanding of chattel slavery as a continuing social reality of U S empire one resting at the very foundation of today's prison industrial complex that now holds more than 2.3 million people within the country's jails prisons and immigrant detention centers **Prison Slavery** Barbara Esposito, Lee Wood, 1982 Federal Probation, 1977 The Impact of Supreme Court Decisions on US

Institutions Robert Costello, Colleen Eren, 2021-09-30 This book bridges the disciplines of legal studies and sociology in its engaging introduction to the history purpose function and influence of the Supreme Court demonstrating through ten landmark decisions the Court's impact on the five key sociological institutions in the United States family education religion government and economy It gives an insightful picture of how these major decisions have additionally affected other sociological categories such as gender sexual orientation race class inequality and deviance The reader not only gains familiarity with foundational concepts in both sociology and constitutional law but is given tools to decipher the legal language of Supreme Court decisions through non intimidating abridgments of those decisions enhancing their critical literacy This book demonstrates the direct applicability of the Supreme Court to the lives of Americans and how landmark decisions have far reaching repercussions that affect all of us The Impact of Supreme Court Decisions on US Institutions is essential reading for undergraduate students in social science courses as well as others interested in the workings of the justice system

Crime and Social Justice, 1983

Politics and the Human Body Jean Bethke Elshtain, J. Timothy Cloyd, 1995 Who or what determines the right to die Do advancing reproductive technologies change reproductive rights What forces influence cultural standards of beauty How do discipline punishment and torture reflect our attitudes about the human body In this challenging new book Jean Bethke Elshtain a nationally recognized scholar in political science and philosophy and J Timothy Cloyd a strong new voice in social and political science have assembled a collection of thought provoking essays on these issues written by some of the finest minds of our day

The Carceral City John Bardes, 2024-04-02 Americans often assume that slave societies had little use for prisons and police because slaveholders only ever inflicted violence directly or through overseers Mustering tens of thousands of previously overlooked arrest and prison records John K Bardes demonstrates the opposite in parts of the South enslaved and free people were jailed at astronomical rates Slaveholders were deeply reliant on coercive state action Authorities built massive slave prisons and devised specialized slave penal systems to maintain control and maximize profit Indeed in New Orleans for most of the past half century the city with the highest incarceration rate in the United States enslaved people were jailed at higher rates during the antebellum era than are Black residents today Moreover some slave prisons remained in use well after Emancipation in these forgotten institutions lie the hidden origins of state violence under Jim Crow With powerful and evocative prose Bardes boldly reinterprets relations between slavery and prison development in American history Racialized policing and mass incarceration are among the gravest moral crises of our age but they are not new slavery the prison and race are deeply interwoven into the history of American governance

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