

Slave Law In The Americas

David Scott Clark



Slave Law In The Americas:

Slave Law in the Americas Alan Watson, 1989-01-01 In this book Alan Watson argues that the slave laws of North and South America the written codes defining the relationship of masters to slaves reflect not so much the culture and society of the various colonies but the legal traditions of England Europe and ancient Rome A pathbreaking study concerned as much with the nature of comparative law as the specific subject of the law of slavery *Slave Law in the Americas* posits an essential distance in the Western legal tradition between the tenets of law and the values of the society they govern Laws Watson shows often are made not by governments or rulers but by jurists as in ancient Rome law professors as in medieval and continental Europe and judges as in common law England Bodies of law often created without reference to particular social and political ideals are also often transferred whole cloth from one society to another Tracing the effects of the reception of Roman law throughout Europe excluding England and the Americas Watson reveals the enormous impact of this legal tradition on subsequent lawmakers operating under utterly dissimilar social and political conditions in the New World Slave law in the colonies Watson demonstrates had much to do with the mother country's relations to Roman law Spain Portugal France and the United Dutch Provinces all within the Roman legal tradition imposed on their colonies slave laws that were private and nonracist in character laws that interfered little in master slave relations and provided for the relative ease of manumission and the grant of citizenship to freed slaves England however did not ascribe to Roman law and colonists created rather than received slave law Public and racist slave law in the English colonies uniquely reflected local concerns involving every citizen in the protection and perpetuation of slavery strictly regulating education manumission and citizenship status Comparative legal history Watson writes is in its infancy Presenting the laws of slavery in ancient Rome and in the slaveholding colonies of America Watson demonstrates how comparative law can elucidate the relationship of law legal rules and institutions to the society in which they operate Investigating not the dynamics of slavery but of slave law he reveals the working of a legal culture and its peculiar history *Slavery in America* Dorothy Schneider, Carl J.

Schneider, 2014-05-14 Presents the history of slavery in America from colonial times through the U S Civil War **Law and People in Colonial America** Peter Charles Hoffer, 2019-11-05 An essential rigorous and lively introduction to the beginnings of American law How did American colonists transform British law into their own What were the colonies first legal institutions and who served in them And why did the early Americans develop a passion for litigation that continues to this day In *Law and People in Colonial America* Peter Charles Hoffer tells the story of early American law from its beginnings on the British mainland to its maturation during the crisis of the American Revolution For the men and women of colonial America Hoffer explains law was a pervasive influence in everyday life Because it was their law the colonists continually adapted it to fit changing circumstances They also developed a sense of legalism that influenced virtually all social economic and political relationships This sense of intimacy with the law Hoffer argues assumed a transforming power in times of crisis

In the midst of a war for independence American revolutionaries used their intimacy with the law to explain how their rebellion could be lawful while legislators wrote republican constitutions that would endure for centuries Today the role of law in American life is more pervasive than ever And because our system of law involves a continuing dialogue between past and present interpreting the meaning of precedent and of past legislation the study of legal history is a vital part of every citizen's basic education Taking advantage of rich new scholarship that goes beyond traditional approaches to view slavery as a fundamental cultural and social institution as well as an economic one this second edition includes an extensive entirely new chapter on colonial and revolutionary era slave law Law and People in Colonial America is a lively introduction to early American law It makes for essential reading *Slavery in America* Kenneth Morgan, 2005 Designed specially for undergraduate course use this new textbook is both an introduction to the study of American slavery and a reader of core texts on the subject No other volume that combines both primary and secondary readings covers such a span of time from the early seventeenth century to the Civil War The book begins with a substantial introduction to the entire volume that gives an overview of slavery in North America Each of the twelve chapters that follow has an introduction that discusses the leading secondary books and articles on the topic in question followed by an essay and three primary documents Questions for further study and discussion are included in the chapter introduction while further readings are suggested in the chapter bibliography Topics covered include slave culture the slave based economy slavery and the law slave resistance pro slavery ideology abolition and emancipation The essays by such eminent historians as Drew Gilpin Faust Don E Fehrenbacher Eric Foner John Hope Franklin and Sylvia R Frey have been selected for their teaching value and ability to provoke discussion Drawing on black and white male and female experiences the primary documents come from a wide variety of sources diaries letters laws debates oral testimonies travelers accounts inventories journals autobiographies petitions and novels

American Comparative Law David Scott Clark, 2022 Historical Comparative Law and Comparative Legal History Legal history and comparative law overlap in important respects This is more apparent with the use of some methods for comparison such as legal transplant natural law or nation building M N S Sellers nicely portrayed the relationship The past is a foreign country its people strangers and its laws obscure No one can really understand her or his own legal system without leaving it first and looking back from the outside The comparative study of law makes one's own legal system more comprehensible by revealing its idiosyncrasies Legal history is comparative law without travel Legal historians perhaps especially in the United States have been skeptical about the possibility of a fruitful comparative legal history preferring in general to investigate the distinctiveness of their national experience Comparatists however content with revealing or promoting similarities or differences between legal systems by their nature strive toward comparison Some American historians especially since World War II see the value in this *Fugitive Slaves and American Courts* Paul Finkelman, 2012-11 Reprinted from the series *Slavery Race and the American Legal System 1700-1872* this set contains

facsimiles of 56 rare pamphlets relating to court cases involving fugitive slaves As in the companion set Southern Slaves in Free State Courts some pamphlets were part of the public debate over judicial decisions Others used cases to promote the antislavery cause or in some instances support or justify slavery These volumes belong in every library used for research and in particular at all law school libraries They will prove valuable to historians lawyers law teachers and students and all persons interested in the problems of slavery and race in American experience William M Wiecek American Journal of Legal History 33 1989 187

The Many Legalities of Early America Christopher L. Tomlins, Bruce H. Mann, 2012-12-01 This collection of seventeen original essays reshapes the field of early American legal history not by focusing simply on law or even on the relationship between law and society but by using the concept of legality to explore the myriad ways in which the people of early America ordered their relationships with one another whether as individuals groups classes communities or states Addressing issues of gender ethnicity family patriarchy culture and dependence contributors explore the transatlantic context of early American law the negotiation between European and indigenous legal cultures the multiple social contexts of the rule of law and the transformation of many legalities into an increasingly uniform legal culture Taken together these essays reveal the extraordinary diversity and complexity of the roots of early America's legal culture Contributors are Mary Sarah Bilder Holly Brewer James F Brooks Richard Lyman Bushman Christine Daniels Cornelia Hughes Dayton David Barry Gaspar Katherine Hermes John G Kolp David Thomas Konig James Muldoon William M Offutt Jr Ann Marie Plane A G Roeber Terri L Snyder and Linda L Sturtz

Indian Slavery in Colonial America Alan Galloway, 2009-01-01 European enslavement of American Indians began with Christopher Columbus's arrival in the New World The slave trade expanded with European colonies and though African slave labor filled many needs huge numbers of America's indigenous peoples continued to be captured and forced to work as slaves Although central to the process of colony building in what became the United States this phenomena has received scant attention from historians Indian Slavery in Colonial America edited by Alan Galloway examines the complicated dynamics of Indian enslavement How and why Indians became both slaves of the Europeans and suppliers of slavery's victims is the subject of this book The essays in this collection use Indian slavery as a lens through which to explore both Indian and European societies and their interactions as well as relations between and among Native groups

The American Law of Slavery, 1810-1860 Mark Tushnet, 2019-02-19 In an examination of Southern slave law between 1810 and 1860 Mark Tushnet reveals a structured dichotomy between slave labor systems and bourgeois systems of production Whereas the former rest on the total dominion of the master over the slave and necessitate a concern for the slave's humanity the latter rest on the purchase by the capitalist of a worker's labor power only and are concerned primarily with economic interest Focusing on a wide range of issues that include contract and accident law as well as criminal law and the law of manumission he shows how Southern slave law had to respond to the competing pressures of humanity and interest Beginning with a critical evaluation of slave law the author develops the conceptual framework for his own

perspective on the legal system drawing on the works of Marx and Weber He then examines four appellate court cases decided in three different states from civil law Louisiana to commonlaw North Carolina at widely separated times from 1818 to 1858 Professor Tushnet finds that the cases display a continuing but never wholly successful attempt at distinguish between law and sentiment as modes of regulating social interactions involving slaves Also the cases show that the primary method of accommodating law and sentiment was an attempt to use rigid categories to confine the law of slavery to what was thought its proper sphere Mark Tushnet is Professor of Law at the University of Wisconsin Originally published in 1981 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905

Slave Law in the American South Mark V. Tushnet, 2003 Tying together legal historical social political and literary strands to show how the law itself was implicated in the persistence of slavery this work sheds new light on slavery and Southern history as it probes the conscience of a troubled jurist incapable of fully transcending his times

Slave Law In The Americas Book Review: Unveiling the Power of Words

In some sort of driven by information and connectivity, the ability of words has become more evident than ever. They have the capability to inspire, provoke, and ignite change. Such could be the essence of the book **Slave Law In The Americas**, a literary masterpiece that delves deep to the significance of words and their impact on our lives. Written by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we shall explore the book is key themes, examine its writing style, and analyze its overall affect readers.

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