

SLAVERY  
AND THE  
PENAL SYSTEM

J. THORSTEN SELLIN

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CLASSICS OF LAW & SOCIETY

# Slavery And The Penal System

**Sebastian Brünink**



## **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

*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.

**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.

**Slavery and Social Death** Orlando Patterson, 2018-10-15 Patterson discusses the internal dynamics of slavery in 66

societies over time These include Greece and Rome medieval Europe China Korea the Islamic kingdoms Africa the Caribbean islands and the American South Slavery he argues is a single process of recruitment incorporation on the margin of society and eventual manumission or death      **Prison Slavery** Barbara Esposito, Lee Wood, 1982      **Byzantine Slavery and the Mediterranean World** Youval Rotman, 2009 Looking at the Byzantine concept of slavery within the context of law the labour market medieval politics and religion the author illustrates how these contexts both reshaped and sustained the slave market

*Are Prisons Obsolete?* Angela Y. Davis, 2011-01-04 With her characteristic brilliance grace and radical audacity Angela Y Davis has put the case for the latest abolition movement in American life the abolition of the prison As she quite correctly notes American life is replete with abolition movements and when they were engaged in these struggles their chances of success seemed almost unthinkable For generations of Americans the abolition of slavery was sheerest illusion Similarly the entrenched system of racial segregation seemed to last forever and generations lived in the midst of the practice with few predicting its passage from custom The brutal exploitative dare one say lucrative convict lease system that succeeded formal slavery reaped millions to southern jurisdictions and untold miseries for tens of thousands of men and women Few predicted its passing from the American penal landscape Davis expertly argues how social movements transformed these social political and cultural institutions and made such practices untenable In *Are Prisons Obsolete* Professor Davis seeks to illustrate that the time for the prison is approaching an end She argues forthrightly for decarceration and argues for the transformation of the society as a whole      **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      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 **Federal Probation** ,1977

*Hip-Hop as Philosophical Text and Testimony* Lissa Skitolsky, 2020-12-16 Hip hop as survivor testimony Rhymes as critical text Drawing on her own experiences as a lifelong hip hop head and philosophy professor Lissa Skitolsky reveals the existential power of hip hop to affect our sensibility and understanding of race and anti black racism Hip Hop as Philosophical Text and Testimony Can I Get a Witness examines how the exclusion of hip hop from academic discourse around knowledge racism white supremacy genocide white nationalism and trauma reflects the very neoliberal sensibility that hip hop exposes and opposes At this critical moment in history in the midst of a long overdue global reckoning with systemic anti black racism Skitolsky shows how it is more important than ever for white people to realize that our failure to see this system and take hip hop seriously has been essential to its reproduction In this book she illustrates the unique power of underground hip hop to interrupt our neoliberal and post racial sensibility of current events *Revisiting Slavery and Antislavery* Laura Brace, Julia O'Connell Davidson, 2018-09-04 Despite growing popular and policy interest in new slavery with contemporary abolitionists calling for action to free an estimated 40 million modern slaves interdisciplinary and theoretical dialogue has been largely missing from scholarship on modern slavery This edited volume will provide a space to reinvigorate the theory and practice of representing slavery and related systems of domination in particular our understandings of the binary between slavery and freedom in different historical and political contexts The book takes a critical approach interrogating the concept of modern slavery by exploring where it has come from and its potential for obscuring and foreclosing new understandings Including contributions from philosophers political theorists sociologists anthropologists and English literature scholars it adds to the emerging critique of the concept of modern slavery through its focus on the connections between the past of Atlantic World slavery the present of contemporary groups whose freedoms are heavily

restricted prisoners child labourers in the Global South migrant domestic workers and migrant wives and the futures envisaged by activists struggling against different elements of the systems of domination that Atlantic World slavery relied upon and spawned Revisiting Slavery Antislavery will be of indispensable value to scholars students policy makers and activists in the fields of human rights modern history international politics social policy sociology and global inequality

**The American Year Book**, 1914      *Global Encyclopedia of Public Administration, Public Policy, and Governance* Ali Farazmand, 2023-04-05 This global encyclopedic work serves as a comprehensive collection of global scholarship regarding the vast fields of public administration public policy governance and management Written and edited by leading international scholars and practitioners this exhaustive resource covers all areas of the above fields and their numerous subfields of study In keeping with the multidisciplinary spirit of these fields and subfields the entries make use of various theoretical empirical analytical practical and methodological bases of knowledge Expanded and updated the second edition includes over a thousand of new entries representing the most current research in public administration public policy governance nonprofit and nongovernmental organizations and management covering such important sub areas as 1 organization theory behavior change and development 2 administrative theory and practice 3 Bureaucracy 4 public budgeting and financial management 5 public economy and public management 6 public personnel administration and labor management relations 7 crisis and emergency management 8 institutional theory and public administration 9 law and regulations 10 ethics and accountability 11 public governance and private governance 12 Nonprofit management and nongovernmental organizations 13 Social health and environmental policy areas 14 pandemic and crisis management 15 administrative and governance reforms 16 comparative public administration and governance 17 globalization and international issues 18 performance management 19 geographical areas of the world with country focused entries like Japan China Latin America Europe Asia Africa the Middle East Russia and Eastern Europe North America and 20 a lot more Relevant to professionals experts scholars general readers researchers policy makers and manger and students worldwide this work will serve as the most viable global reference source for those looking for an introduction and advance knowledge to the field      **From Slave Ship to Supermax** Patrick Elliot Alexander, 2018 Introduction antipanoptic expressivity and the new neo slave novel Talking in George Jackson s shadow neoslavery police intimidation and imprisoned intellectualism in Baldwin s If Beale Street could talk Middle passage reinstated whispers from the women s prison in Morrison s Beloved Didn t I say this was worse than prison the slave ship Supermax relation in Johnson s Middle passage Tell them I m a man slavery s vestiges and imprisoned radical intellectualism in Gaines s A lesson before dying Epilogue the prison classroom and the neo abolitionist novel      **American Social History as Recorded by British Travellers** Allan Nevins, 1923      **African American Classics in Criminology and Criminal Justice** Shaun L Gabbidon, Helen Taylor Greene, Vernetta D Young, 2002 Congratulations to SAGE author Shaun L Gabbidon for becoming the second scholar in the college s history to be named a Distinguished Professor by the University s Office of

the President Pennsylvania State University Harrisburg This collection of writings is crucially important in part because it reminds us the theoretical paradigms of these and other African American scholars are excluded when crime its causes and its control are discussed by criminologists criminal justice practitioners and policy makers To understand crime fully the perspectives advanced by these scholars must become an integral part of discussions about who is a criminal and which public policies will best control crime From the forward by Anne Thomas Sulton Ph D J D From W E B Dubois through Lee Brown this anthology provides a collection of the key articles in criminology and criminal justice written by black scholars Available in a single volume for the first time the articles collected in this book reflect the voices of African American scholars and display the diversity of perspectives sought after in today s academic community Crime in the African American community is examined from social economic and political perspectives and the historical context of each article is provided by the editors Spanning the 20th century these works present a historical chronology of African American views on crime and its control with theoretical perspectives that have often been tangential to mainstream scholarship For your courses in Criminological Theory Race and Crime Crime and Social Policy Minorities and Criminal Justice     **The American Year**  
**Book** Albert Bushnell Hart, 1914



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## **Table of Contents Slavery And The Penal System**

1. Understanding the eBook Slavery And The Penal System
  - The Rise of Digital Reading Slavery And The Penal System
  - Advantages of eBooks Over Traditional Books
2. Identifying Slavery And The Penal System
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Slavery And The Penal System
  - User-Friendly Interface
4. Exploring eBook Recommendations from Slavery And The Penal System
  - Personalized Recommendations
  - Slavery And The Penal System User Reviews and Ratings
  - Slavery And The Penal System and Bestseller Lists
5. Accessing Slavery And The Penal System Free and Paid eBooks
  - Slavery And The Penal System Public Domain eBooks
  - Slavery And The Penal System eBook Subscription Services
  - Slavery And The Penal System Budget-Friendly Options

6. Navigating Slavery And The Penal System eBook Formats
  - ePub, PDF, MOBI, and More
  - Slavery And The Penal System Compatibility with Devices
  - Slavery And The Penal System Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Slavery And The Penal System
  - Highlighting and Note-Taking Slavery And The Penal System
  - Interactive Elements Slavery And The Penal System
8. Staying Engaged with Slavery And The Penal System
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Slavery And The Penal System
9. Balancing eBooks and Physical Books Slavery And The Penal System
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Slavery And The Penal System
10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
11. Cultivating a Reading Routine Slavery And The Penal System
  - Setting Reading Goals Slavery And The Penal System
  - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Slavery And The Penal System
  - Fact-Checking eBook Content of Slavery And The Penal System
  - Distinguishing Credible Sources
13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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