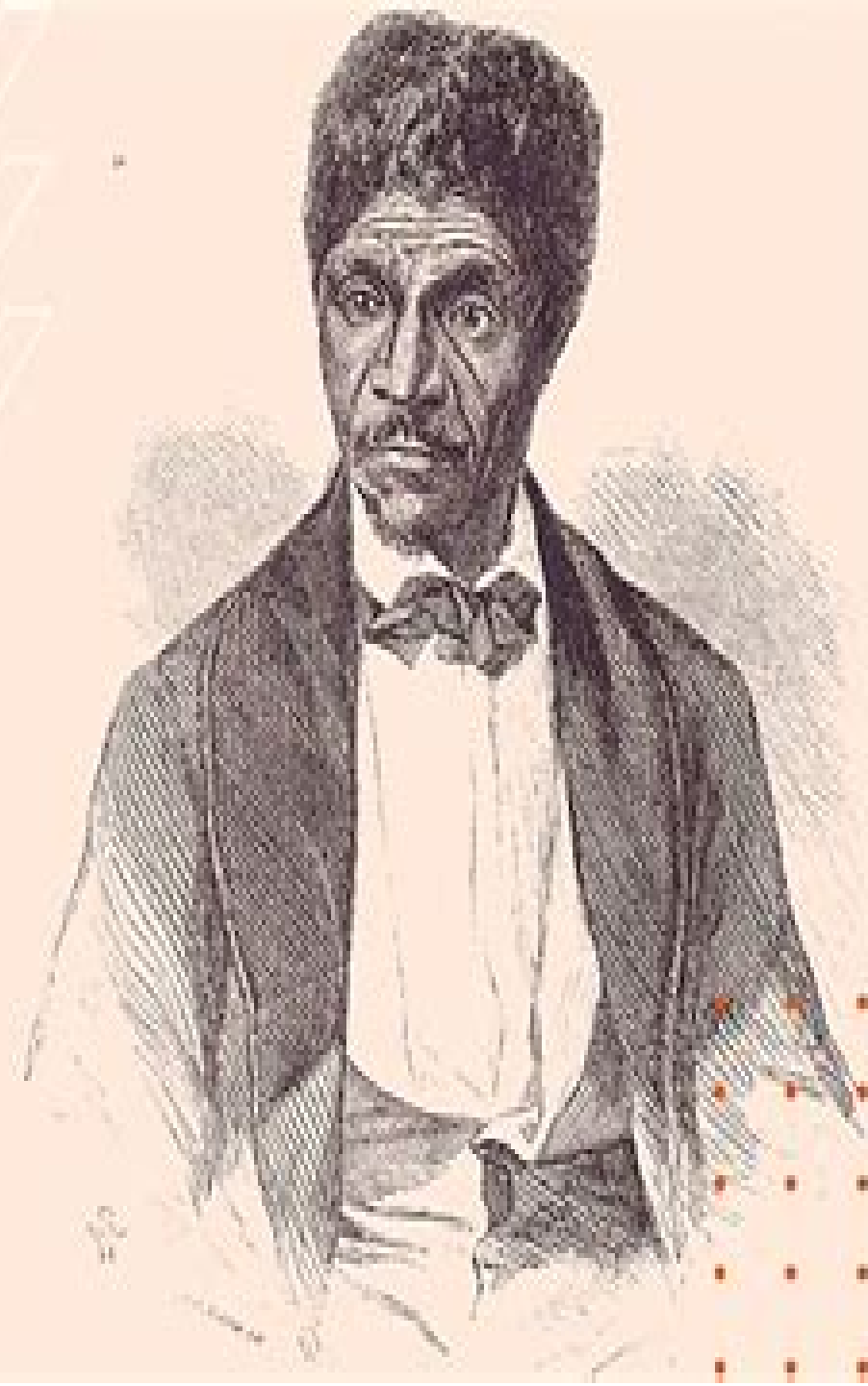


DRED SCOTT DECISION



The Dred Scott Decision Law Or Politics

Don Edward Fehrenbacher



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The Dred Scott Case Don Edward Fehrenbacher, 1978 Winner of the Pulitzer Prize in 1979 The Dred Scott Case is a masterful examination of the most famous example of judicial failure the case referred to as the most frequently overturned decision in history On March 6 1857 Chief Justice Roger B Taney delivered the Supreme Court's decision against Dred Scott a slave who maintained he had been emancipated as a result of having lived with his master in the free state of Illinois and in federal territory where slavery was forbidden by the Missouri Compromise The decision did much more than resolve the fate of an elderly black man and his family Dred Scott v Sanford was the first instance in which the Supreme Court invalidated a major piece of federal legislation The decision declared that Congress had no power to prohibit slavery in the federal territories thereby striking a severe blow at the legitimacy of the emerging Republican party and intensifying the sectional conflict over slavery This book represents a skillful review of the issues before America on the eve of the Civil War The first third of the book deals directly with the case itself and the Court's decision while the remainder puts the legal and judicial question of slavery into the broadest possible American context Fehrenbacher discusses the legal bases of slavery the debate over the Constitution and the dispute over slavery and continental expansion He also considers the immediate and long range consequences of the decision *Slavery, Law, and Politics* Don E. Fehrenbacher, 1981-04-30 This is an abridgement of the Pulitzer Prize winning *The Dred Scott Case* making Fehrenbacher's monumental work available to a wider audience Although it condenses the original by half all the chapters and major themes of the larger work have been retained providing a masterful review of the issues before America on the eve of the Civil War *The Dred Scott Decision: Law Or Politics?* Stanley I. Kutler, 1967 *Dred Scott and the Dangers of a Political Court* Ethan Greenberg, 2010-08-01 Dred Scott exemplifies neither originalism nor aspirationalism gone wrong as many modern critics now argue Rather the Dred Scott Court erred chiefly because the majority gave in to the still relevant temptation to subordinate honest legal reasoning to the pursuit of what the majority regarded as a noble and crucial political agenda_in this case to protect slavery and the political power of the slave holding South and thereby preserve the Union **The Political Thought of the Civil War** Alan Levine, Thomas W. Merrill, James R. Stoner, Jr., 2019-08-08 Why does the Civil War still speak to us so powerfully If we listen to the most thoughtful forceful and passionate voices of that day we find that many of the questions at the heart of that conflict are also central to the very idea of America and that many of them remain unresolved in our own time The Political Thought of the Civil War offers us the opportunity to pursue these questions from a new critical perspective as leading scholars of American political science history and literature engage in some of the crucial debates of the Civil War era and in the process illuminate more clearly the foundation and fault lines of the American regime The essays in this volume use practical dilemmas of the Civil War to reveal and probe fundamental questions about the status of slavery and race in the American founding the tension between moralism and constitutionalism and the problem of creating and sustaining a

multiracial society on the basis of the original principles of the American regime Adopting a deliberative approach the authors revisit the words and deeds of the most important political actors of era from William Lloyd Garrison John C Calhoun and Abraham Lincoln to Alexander Stephens and Frederick Douglass with reference to the American Founders and the architects of Reconstruction The essays in this volume consider the difficult choices each of these figures made the specific problems they were responding to and the consequences of those choices As this book exposes and explores the theoretical principles at play within their historical context it also offers vivid reminders of how the great controversies surrounding the Civil War continue to shape American political life to this day **A Political Companion to Frederick Douglass** Neil

Roberts,2018-06-29 A splendid opportunity to rethink Douglass s political thought relevant today given the discourse of white nationalism in the United States Choice Frederick Douglass was a writer and public speaker whose impact on America has been long studied by historians and literary critics Yet as political theorists have focused on the legacies of such notables as W E B Du Bois and Booker T Washington Douglass s profound influence on Afro modern and American political thought has often been undervalued In an effort to fill this gap in the scholarship on Douglass editor Neil Roberts and an exciting group of established and rising scholars examine the author s autobiographies essays speeches and novella Together they illuminate his genius for analyzing and articulating core American ideals such as independence liberation individualism and freedom particularly in the context of slavery The contributors explore Douglass s understanding of the self made American and the way in which he expanded the notion of individual potential by arguing that citizens had a responsibility to improve not only their own situations but also those of their communities A Political Companion to Frederick Douglass also considers the idea of agency investigating Douglass s passionate insistence that every person in a democracy even a slave possesses an innate ability to act Various essays illuminate Douglass s complex racial politics deconstructing what seems at first to be his surprising aversion to racial pride and others explore and critique concepts of masculinity gender and judgment in his oeuvre The volume concludes with a discussion of Douglass s contributions to pre and post Civil War jurisprudence Rich insights from scholarship both old and new A fine collection Political Theory Judicial Power and Reconstruction Politics Stanley I.

Kutler,2022-03-25 A study of the Supreme Court in the wake of the Dred Scott decision This book investigates the political and public standing of the Supreme Court following the Dred Scott decision Arguing against interpretations by previous historians Kutler asserts instead that the Chase Court was neither enfeebled by the decision itself nor by congressional Republicans during reconstruction Instead Kutler suggests that during reconstruction the Court was characterized by forcefulness and judicious restraint rather than timidity and cowardice holding a creative and determining role rather than abdicating its rightful powers This volume assembles a series of essays by Kutler arguing for this characterization Provocative and persuasive at turns this collection of essays provides a bold and innovative reinterpretation of the Supreme Court after the Civil War *America and the Law of Nations 1776-1939* Mark W. Janis,2010 This book narrates the

important role that international law has played in America and the crucial if complex story of America's place in promoting and frustrating international law Based on the stories of key figures in American history and written in an accessible style it is a must read for anyone interested in America's place in the world

Encyclopedia of U.S. Political History Andrew Whitmore Robertson, 2010 Annotation st1 behavior url ieouui Unparalleled coverage of U S political development through a unique chronological framework Encyclopedia of U S Political History explores the events policies activities institutions groups people and movements that have created and shaped political life in the United States With contributions from scholars in the fields of history and political science this seven volume set provides students researchers and scholars the opportunity to examine the political evolution of the United States from the 1500s to the present day With greater coverage than any other resource the Encyclopedia of U S Political History identifies and illuminates patterns and interrelations that will expand the reader's understanding of American political institutions culture behavior and change Focusing on both government and history the Encyclopedia brings exceptional breadth and depth to the topic with more than 100 essays for each of the critical time periods covered With each volume covering one of seven time periods that correspond to key eras in American history the essays and articles in this authoritative encyclopedia focus on the following themes of political history The three branches of government Elections and political parties Legal and constitutional histories Political movements and philosophies and key political figures Economics Military politics International relations treaties and alliances Regional histories Key Features Organized chronologically by political eras Reader's guide for easy topic searching across volumes Maps photographs and tables enhance the text Signed entries by a stellar group of contributors

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A History of American Law, Revised Edition Lawrence M. Friedman, 2010-06-15 A History of American Law has become a classic for students of law American history and sociology across the country In this brilliant and immensely readable book Lawrence M Friedman tells the whole fascinating story of American law from its beginnings in the colonies to the present day By showing how close the life of the law is to the economic and political life of the country he makes a complex subject understandable and engrossing A History of American Law presents the achievements and failures of the American legal system in the context of America's commercial and working world family practices and attitudes toward property slavery government crime and justice Now

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