

SLAVERY, LAW, & POLITICS

*The Dred Scott Case
in Historical Perspective*

An abridgment of *The Dred Scott Case: Its Significance
in American Law and Politics*, winner of the 1979
PULITZER PRIZE in History

DON E. FEHRENBACHER

Slavery Law And Politics

Don E. 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 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 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

Dred Scott and the Politics of Slavery Earl M. Maltz, 2007 Closely examines one of the Supreme Court's most infamous decisions that went far beyond one slave's suit for freeman status by declaring that ALL blacks freemen as well as slaves were not and never could become U S citizens bringing an end to the 1820 Missouri Compromise while also resulting in the outrage that led to the Civil War

Politics and America in Crisis Michael Green, 2009-12-30 This book unravels the political developments that made the Civil War unavoidable *Politics and America in Crisis* The Coming of the Civil War examines the developments between 1846 and 1861 that pushed the nation to war to see what they reveal about the North the South the people leading them and the issues separating them As shown here in the decade and a half before the actual outbreak of the war the mostly southern Democratic Party's fortunes veered from a presidential election victory in 1852 to the shocking loss of Abraham Lincoln in 1860 an event that marked the coming of age of the young antislavery Republican Party In examining that sharp reversal *Politics and America in Crisis* covers a wide range of key events including efforts to ban slavery in territories won in the Mexican American War the Dred Scott decision and John Brown's raids

Politics and the Histories of International Law, 2021-07-19 What are the implications of writing the history of legal issues Eighteen

authors from different legal systems and backgrounds offer different answers by examining the history writing on issues ranging from slavery over the use of force to extraterritorial jurisdiction Contributions show how historiography has often distorted or neglected regional cultures and suggest alternative methods and approaches to history writing These studies are highly relevant for current international relations in which the fight over master narratives is especially fierce among governments in different academic fields and also between governments and academics Contributors are Jean d Aspremont Julia B hner Emiliano J Buis Maria Adele Carrai Jacob Katz Cogan R n Derrig Angelo Dube Michel Erpelding Etienne Henry Madeleine Herren Randall Lesaffer Anne Charlotte Martineau Parvathi Menon Momchil Milanov Hirofumi Oguri Gustavo Prieto Hendrik Simon Sebastian Spitra and Deborah Whitehall

Slave Law and the Politics of Resistance in the Early Atlantic World Edward B. Rugemer, 2018-11-12 Edward Rugemer's comparative history spanning 200 years reveals the political dynamic between slaves resistance and slaveholders power in two prosperous slave economies Jamaica and South Carolina This struggle led to the abolition of slavery through a law of British Parliament in one case and through violent civil war in the other

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New York University Journal of International Law & Politics New York University. International Law Society, 2001

Studies in Law, Politics, and Society Austin Sarat, 2020-09-04 This special issue of Studies in Law Politics and Society examines how law understands the past Topics covered include the use of legal language to dehumanize slaves in the eighteenth century the use of history by lawyers and judges to justify existing law or make changes to the law during the nineteenth and twentieth centuries

The Teachings of Modern Protestantism on Law, Politics, and Human Nature John Witte (Jr.), John Witte, Frank S. Alexander, 2007 The Teachings of Modern Protestantism on Law Politics and Human Nature examines how modern Protestant thinkers have answered the most pressing political legal and ethical questions of our time It discusses the enduring teachings of important Protestant intellectuals of the late nineteenth and twentieth centuries Leading contemporary scholars analyze these thinkers views on the nature and purpose of law and authority the limits of rule and obedience the care of the needy and innocent the ethics of war and violence and the separation of church and state among other themes A diverse and powerful portrait of Protestant legal and political thought this volume underscores the various ways Protestant intellectuals have shaped modern debates over the family the state religion and society The book focuses on the work of Abraham Kuyper 1827 1920 Susan B Anthony 1820 1906 Karl Barth 1886 1968 Dietrich Bonhoeffer 1906 1945 Reinhold Niebuhr 1892 1971 Martin Luther King Jr 1929 1968 William Stringfellow 1928 1985 and John Howard Yoder 1927 1997

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S. Alexander, 2006 This is a major project to be undertaken as part of a broad initiative of the Pew Charitable Trusts and the University of Notre Dame on the role of Christianity in modern society John Witte is one of the editors of the forthcoming *Sex Marriage and the Family A Reader in World Religions*

Law, Politics and Rights Tiyanjana Maluwa, 2013-11-29 Law Politics and Rights Essays in Memory of Kader Asmal presents critical perspectives on various inter related themes in the areas of human rights constitutionalism democracy international law political and cultural rights and identity The discussions reflect the wide ranging interests and subjects that Kader Asmal engaged with as a legal scholar human rights campaigner and politician of international renown throughout his life Kader Asmal is perhaps best known for his political career as one of the most senior members of the African National Congress and a government minister in post apartheid South Africa Less well known to the general public is his equally immense contribution to international human rights law and policy recognised with the award of the Prix UNESCO in 1983 through more than three decades of an international academic career and legal activism This book is a reminder of the enduring relevance of the issues and causes he espoused and advocated Contributors include John Dugard Richard Harvey Federico Lenzerini Tiyanjana Maluwa Obiora Chinedu Okafor Nsongurua Udombana Muna Ndulo Albie Sachs Max du Plessis Nico Steytler Gerard Whyte and Abdulqawi Yusuf [The Works of Orestes A. Brownson: Politics](#) Orestes Augustus Brownson, 1885

The Captive's Quest for Freedom R. J. M. Blackett, 2018-01-25 This magisterial study ten years in the making by one of the field's most distinguished historians will be the first to explore the impact fugitive slaves had on the politics of the critical decade leading up to the Civil War Through the close reading of diverse sources ranging from government documents to personal accounts Richard J M Blackett traces the decisions of slaves to escape the actions of those who assisted them the many ways black communities responded to the capture of fugitive slaves and how local laws either buttressed or undermined enforcement of the federal law Every effort to enforce the law in northern communities produced levels of subversion that generated national debate so much so that on the eve of secession many in the South looking back on the decade could argue that the law had been effectively subverted by those individuals and states who assisted fleeing slaves *Law, Politics, and Responding to Injustice* Coel Kirkby, Wojciech Sadurski, Kevin Walton, 2024-12-04 This book examines the issue of injustice and our responses to it in a range of contemporary contexts In her ground breaking book *The Faces of Injustice* 1990 Judith Shklar draws attention to our tendency to view injustice as an abnormality Of course it is not injustice is ubiquitous But how should we respond to it The book brings together leading legal and political theorists to explore the nature of injustice its relationship to law and responses to it in a variety of contexts Their chapters cover issues such as protest resistance violence the moral obligation to obey the law civil disobedience democratic reform and transitional justice They all though share a concern to examine such issues through a Shklar inspired focus on injustice This book will appeal to academics and advanced students in law politics and philosophy

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