

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

Louis Henkin



Slavery Law And Politics:

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

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

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

The Slave in Legal and Political Philosophy Tom Frost, 2025-02-18 This book explores how the figure of the slave has been used to construct ideas of freedom in Western political and legal philosophy The figure of the slave has supported philosophical and legal defences of colonialism coloniality and the supremacy of the white subject Yet for Giorgio Agamben the slave stands almost counterintuitively as an exemplar of a potential form of future positive political existence Developing this line of thought the book reads key thinkers Agamben engages with in his thought and writings including Aristotle Saint Paul and G W F Hegel and draws on decolonial theory to argue that the lives of people who were enslaved and unfree and their actions and gestures can point towards a paradigmatic form of political belonging By reading Agamben in a decolonial direction we can imagine alternative forms of agency recognition and subjectivity which can challenge the necropolitical world of racial capitalism in which we live This study will appeal to scholars researchers and graduate students with an interest in the thought of Giorgio Agamben radical politics legal and political philosophy and decolonial theory

Aristotle

on *Emotions in Law and Politics* Liesbeth Huppes-Cluysenaer, Nuno M.M.S. Coelho, 2018-02-13 In this book experts from the fields of law and philosophy explore the works of Aristotle to illuminate the much debated and fascinating relationship between emotions and justice Emotions matter in connection with democracy and equity they are relevant to the judicial enforcement of rights legal argumentation and decision making processes in legislative bodies and courts The decisive role that emotions feelings and passions play in these processes cannot be ignored not even by those who believe that emotions have no legitimate place in the public sphere A growing body of literature on these topics recognizes the seminal insights contributed by Aristotle This book offers a comprehensive analysis of his thinking in this context as well as proposals for inspiring dialogues between his works and those written by a selection of modern and contemporary thinkers As such the book offers a valuable resource for students of law philosophy rhetoric politics ethics and history but also for readers interested in the ongoing debate about legal positivism and the relevance of emotions for legal and political life in today's world

Legal and Political Challenges of Governing the Environment and Climate Change Gary Wickham, Jo-Ann Goodie, 2013-11-26 The environment has not always been protected by law It was not until the middle of the 20th century that the environment came to be understood as an entity in need of special care and the law politics duo firmly fixed its focus on this issue In this book Wickham and Goodie tell the story of how law and politics first came upon the environment as an object in need of special attention They outline the unlikely intersection of aesthetics and science that made the environment into the matter of great concern it is today The book describes the way private common law strategies and public law legislative strategies have approached the task of protecting the environment and explore the greatest environmental challenge to have so far confronted environmental law and politics the threat of global climate change The book offers descriptions of many of the strategies being deployed to meet this challenge and present some troubling assessments of them The book will be of great interest to students teachers and researchers of environmental law socio legal studies environmental studies and political theory

Law, Politics and the Church of England S. M. Waddams, 1992-05-14 Through his portrait of Stephen Lushington's wide ranging career Professor Waddams offers a very revealing perspective on the relationship between law politics and religion during the nineteenth century

Slave Law and the Politics of Resistance in the Early Atlantic World Edward B. Rugemer, 2018-11-12 Winner of the Jerry H Bentley Book Prize World History Association The success of the English colony of Barbados in the seventeenth century with its lucrative sugar plantations and enslaved African labor spawned the slave societies of Jamaica in the western Caribbean and South Carolina on the American mainland These became the most prosperous slave economies in the Anglo American Atlantic despite the rise of enlightened ideas of liberty and human dignity *Slave Law and the Politics of Resistance in the Early Atlantic World* reveals the political dynamic between slave resistance and slaveholders power that marked the evolution of these societies Edward Rugemer shows how 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 In both Jamaica and South Carolina a draconian system of laws and enforcement allowed slave masters to maintain control over the people they enslaved despite resistance and recurrent slave revolts Brutal punishments patrols imprisonment and state sponsored slave catchers formed an almost impenetrable net of power Yet slave resistance persisted aided and abetted by rising abolitionist sentiment and activity in the Anglo American world In South Carolina slaveholders exploited newly formed levers of federal power to deflect calls for abolition and to expand slavery in the young republic In Jamaica by contrast whites fought a losing political battle against Caribbean rebels and British abolitionists who acted through Parliament Rugemer s comparative history spanning two hundred years of slave law and political resistance illuminates the evolution and ultimate collapse of slave societies in the Atlantic World 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 **The Slave in Legal and Political Philosophy** Tom Frost (Lecturer in Law), 2025 This book explores how the figure of the slave has been used to construct ideas of freedom in Western political and legal philosophy The figure of the slave has supported philosophical and legal defences of colonialism coloniality and the supremacy of the white subject Yet for Giorgio Agamben the slave stands almost counterintuitively as an exemplar of a potential form of future positive political existence Developing this line of thought the book reads key thinkers Agamben engages with in his thought and writings including Aristotle Saint Paul and G W F Hegel and draws on decolonial theory to argue that the lives of people who were enslaved and unfree and their actions and gestures can point towards a paradigmatic form of political belonging By reading Agamben in a decolonial direction we can imagine alternative forms of agency recognition and subjectivity which can challenge the necropolitical world of racial capitalism in which we live This study will appeal to scholars researchers and graduate students with an interest in the thought of Giorgio Agamben radical politics legal and political philosophy and decolonial theory The Politics of the Second Slavery Dale W. Tomich, 2016-12-30 The creation of new frontiers of slave commodity production and the expansion and intensification of slavery in Brazil Cuba and the southern United States were an integral part of the expansion of the world economy during

the nineteenth century Beginning from this vantage point The Politics of the Second Slavery brings together a group of international scholars to reinterpret pro and antislavery politics both globally and nationally as part of the forces that were restructuring Atlantic slavery Individual chapters shed new light on the decolonization and nationalization of slavery in the Americas the politics of proslavery elites both within particular countries and across the Atlantic region the abolition of the international slave trade and slave resistance

Imagination and Environmental Political Thought Joshua J. Bowman, 2018-03-16 Imagination and Environmental Political Thought The Aftermath of Thoreau seeks to correct oversimplified readings of Henry David Thoreau's political thought by elucidating a key tension within his imagination With the celebration of Thoreau's two hundredth birthday now past this study outlines and builds on his own understanding of imagination and considers its implications for environmental politics Despite the use of the word aftermath Thoreau's legacy for environmental political thought is primarily constructive and foundational for modern environmentalism Thoreau's virtues and vices have been inherited by his environmentally conscious readers The author of Walden's preference for an abstract ahistorical higher law his radical concept of autonomy and his frustration with government and community foster an impractical political thought characteristic of an idyllic imagination Nevertheless Thoreau demonstrates a more prudential and moral imagination by emphasizing the inescapable relationship between the moral order of individuals and the order of political communities and by pioneering the central questions of humanity's relationship to non human nature Can this tension of imaginations be resolved What are the consequences of this tension Thoreau's overall vision ultimately creates significant problems with which environmentalists still struggle While Thoreau's emphasis on freedom and the immaterial aspects of human and non human nature are of considerable value his abstract political morality misanthropy and escapism must be resisted both for the sake of environmental well being and human dignity In addition this book is an exercise in re thinking how the humanities may provide scholars critical insights to better diagnose and respond to the environmental challenges of our time

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

The Teachings of Modern Christianity on Law, Politics, and Human Nature John Witte (Jr.), John Witte, Frank 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 **Studies in Law, Politics, and Society** Austin Sarat, 2009-09-17

Rights and rights talk have a long and storied history and have occupied a crucial place in the ideology of liberal legalism With the development of Critical Legal Studies in the 1970s and 80s rights were subject to extensive critique This work takes stock of the field charts its progress and points the way for its future development **A Hand-book of Politics for ...** Edward McPherson, 1884 **A Handbook of Politics for 1872- 1894** Edward McPherson, 1884 International Law: Politics and Values Louis Henkin, 2023-11-27 This volume derives from a series of lectures delivered as the general course at the Hague Academy of International law in July 1989 Like those lectures this volume does not pretend to provide a complete treatise covering all international law Rather it offers a particular perspective on the principal subjects of traditional international law elaborates new developments and dares reexamine assumptions and premises The book is built on three themes The first addresses law as politics and international law as the law of a political system now comprised of more than 180 separate independent states The essential autonomy of states accounts for the political as well as economic and cultural heterogeneity in a pluralist and fragmented system and international law as its common denominator of normative expression A second theme explores change in international law as reflecting change in the values and purposes of the international political system It traces the pursuit through law of the traditional ideal of the state system to secure every state s right to realize its own agenda through its own institutions and the superimposed contemporary purpose to promote individual human rights and welfare in every society The third theme perceives a movement in the law from conceptualism to functionalism from logical deduction out of abstract principles to pragmatic attention to practical needs and solutions to new and old human problems Each of these themes dominates in several chapters but the other themes are not absent from any of them Each will add a fresh perspective and contribute to understanding the nature and operation of international law in the international political system at the turn of a new century **A More Perfect Union** Jesse L. Jackson Jr., 2021-11-12

Race from the beginning and more than any other element has shaped America s institutions its economics politics laws social structures and political attitudes Congressman Jackson considers race to be the focal point of America through the language of the economy because the economy is the hearing aid through which Americans hear all political dialogue In this thought provoking work Jackson provides ample documentation and insightful analysis of the inextricable link between race and economics More important Jackson proposes a radical economic strategy and program of new human rights that would build A More Perfect Union for all Americans and put them in a better position to come to grips with this enduring American legacy *Cotton is King* E. N. Elliott, 1860

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