



THE MAGIC MIRROR

LAW IN AMERICAN HISTORY
SECOND EDITION

KERMIT L. HALL
PETER KARSTEN

The Magic Mirror Law In American History

Melvin I. Urofsky



The Magic Mirror Law In American History:

The Magic Mirror Kermit L. Hall, Peter Karsten, 2009 Chronicling American law from its English origins to the present and offering for the first time comprehensive treatment of twentieth century developments this book sets American law and legal institutions in the broad context of social economic and political events weaving together themes from the history of both constitutional and private law The Magic Mirror treats law in society and the legal implications of social change in areas such as criminal justice the rights of women blacks the family and children It further examines regional differences in American legal culture the creation of the administrative and security states the development of American federalism and the rise of the legal profession Hall pays close attention to the evolution of substantive law categories such as contracts torts negotiable instruments real property trusts and estates and civil procedure and addresses the intellectual evolution of American law surveying movements such as legal realism and critical legal studies Hall concludes that over its history American law has been remarkably fluid adapting in form and substance to each successive generation without ever fully resolving the underlying social and economic conflicts that first provoke demands for legal change

Failures of American Methods of Lawmaking in Historical and Comparative Perspectives James Maxeiner, 2018-03-08 What Americans sought What Americans got deranged laws What Americans can do improve legal methods

The Oxford Handbook of Environmental History Andrew Christian Isenberg, 2014 The Oxford Handbook of Environmental History draws on a wealth of new scholarship to offer diverse perspectives on the state of the field

History of Criminal Justice Mark Jones, Peter Johnstone, 2010-04-08 Covering criminal justice history on a cross national basis this book surveys criminal justice in Western civilization and American life chronologically from ancient times to the present It is an introduction to the historical problems of crime law enforcement and penology set against the background of major historical events and movements Integrating criminal justice history into the scope of European British French and American history this text provides the opportunity for comparisons of crime and punishment over boundaries of national histories The text now concludes with a chapter that addresses terrorism and homeland security Each chapter enhanced with supplemental boxes timeline time capsule and featured outlaw Chapters also contain discussion questions notes and problems

Promises to Keep Donald G. Nieman, 2020-02-03 At a time when race remains a divisive issue Promises to Keep offers a compelling analysis of how conflict over African Americans place in American society has shaped the Constitution law and Americans understanding of citizenship and rights Engaging and accessible yet based on the latest scholarship it shows how African Americans have played a critical role in transforming the Constitution from a bulwark of slavery to a document that is truer to the nation's promise of equality Comprehensive in scope Promises moves from debates over slavery at the nation's founding to contemporary discussions of affirmative action voting rights mass incarceration and police brutality In the process it provides readers with a historical perspective critical to understanding some of today's most compelling issues

Crow Dog's Case Sidney L. Harring, 1994-02-25 The first social history of American Indians role in the making of American law sheds new light on Native American struggles for sovereignty and justice during the century of dishonor a time when their lands were lost and their tribes reduced to reservations

Litigation and Inequality Edward A. Purcell, 1992 Litigation and Inequality explores the dynamic and intricate relationship between legal and social change through the prism of litigation tactics and out of court settlement practices from the 1870s to the 1950s Developing the synthetic historical concept of a social litigation system Purcell analyzes the role of both substantive and procedural law as well as the impact of social and political factors in shaping the de facto processes of litigation and claims disputing Focusing on tort and insurance contract disputes between individuals and national corporations he examines the changing social and economic significance of the choice between state and national courts that federal diversity jurisdiction gave litigants Litigation and Inequality scrutinizes the increasingly sophisticated methods that parties developed to exploit their ability to choose between forums It also traces the changing responses of the courts and legislatures to the escalation of tactical maneuvering It locates the origins of modern litigation practice in the quarter century after 1910 Purcell points to fundamental flaws in the efficiency theory of tort law of the late nineteenth and early twentieth century He identifies specific ways in which the legal system regularly subsidized corporate enterprise He seriously qualifies and refines the progressive charge that the federal courts favored business interests The book argues that during the period from the turn of the century to World War I especially the critical period from 1905 to 1908 the Supreme Court reoriented the federal judicial system and essentially created the twentieth century federal judiciary It also challenges the idea that diversity jurisdiction is best understood as a device to protect nonresidents from local prejudice It illuminates a range of related historical and legal issues from the ostensible formalism of the late nineteenth century judicial thinking to the origins of the workmen s compensation movement Examining these developments with clarity and insight this work will interest historians and sociologists as well as lawyers and legal scholars

The Oxford Handbook of the History of Crime and Criminal Justice Paul Knepper, Anja Johansen, 2016-04-15 The Oxford Handbook of the History of Crime and Criminal Justice provides a systematic and comprehensive examination of recent developments across criminology and criminal justice Chapters examine methodological and theoretical approaches to criminology on going debates and controversies and contemporary issues such as drug trafficking terrorism and the intersections of gender race and class in the context of crime and punishment

The Bloomsbury Encyclopedia of the American Enlightenment Mark G. Spencer, 2015-01-01

A History of the Tennessee Supreme Court, 2002 In this first comprehensive history of the Tennessee Supreme Court seven leading scholars explore the role played by the Court in the social economic and political life of the state Charting the evolution and organization of the Court and its predecessor the Superior Court of Law and Equity the authors also assess the work of the Court within the larger context of the legal history of the South Arranged chronologically this volume covers the period from statehood in 1796 through the judicial election of

1998 and traces the range of contentious issues the Court has faced including slavery Reconstruction economic rights the regulation of business and race and gender relations The authors also outline the Court's relationship with the Supreme Court of the United States and chronicle the achievements of the Court in public and private law state constitutional law property law criminal justice and family law The central themes that emerge include the nature of federalism the search for judicial independence and the practice of judicial review As the authors demonstrate the work of the Tennessee Supreme Court highlights the importance of state courts to the federal system and illuminates the interplay between regionalism and national norms in shaping a state's legal culture Indeed as mediator of conflicts between traditional southern values and national economic and social trends the Court has generally if sometimes belatedly adopted national legal standards Further while the Court has tended to defer to the state's legislative decision making process it has on occasion assumed a more activist role in order to assert individual rights for Tennessee's citizens Sponsored by the Tennessee Supreme Court Historical Society this book is written for anyone interested in Tennessee history in general or legal history in particular Appendixes include a comprehensive table of cases and biographical information about all the Court's judges The Editor James W Ely Jr is Milton R Underwood Professor of Law and professor of history at Vanderbilt University His books include *The Chief Justiceship of Melville W Fuller 1888 1910* and *The Guardian of Every Other Right A Constitutional History of Property Rights* He is also the series editor of the six volume *Property Rights in American History* [Crude Politics](#) Paul Sabin, 2005 Paul Sabin offers a study of the oil market in California before World War II showing how the development of an economy society very heavily dependent upon oil production consumption was largely directed by policy decisions regarding property rights regulatory law public investment *Inheritance and Wealth in America* Robert K. Miller Jr., Stephen J. McNamee, 1997-11-30 *Inheritance and Wealth in America* is a superb collection of original essays written in nontechnical language by experts in sociology economics anthropology history law and other disciplines Notable chapters provide an outstanding interpretative history of inheritance in American legal thought a critical review of the literature on the economics of inheritance at the household and societal levels a superb history of Federal taxation of wealth transfers and a sociological examination of inheritance and its role in class reproduction and stratification This groundbreaking work is of value to any researcher dealing with the transmission of wealth and privilege across generations **Biographical Encyclopedia of the Supreme Court** Melvin I. Urofsky, 2006-05-25 The recent dramatic shift in makeup of the U S Supreme Court has led to great interest in the rulings and legal opinions of its justices Now CQ Press brings you a comprehensive volume that analyzes the lives and legal philosophies of all past and present justices of the Court *Biographical Encyclopedia of the Supreme Court* includes signed essays profiling the men and women who have served and are serving on the U S Supreme Court This one of a kind reference includes not only important biographical information but also in depth details of the legal contributions made by the men and women of the nation's highest bench Keeping up with the recent

changes to the Court this volume includes all current justices New essays profile Chief Justice John Roberts and Justice Samuel Alito Justices are arranged in an easy to use alphabetical format Each essay is prefaced with key biographical information for each justice such as Birth and death dates Date of nomination to the Court The name of president who nominated the justice The date he or she was seated Date range of service on the Court Within each essay written by a top legal expert scholar or journalist Biographical Encyclopedia of the Supreme Court provides facts and context along with analysis of the opinions and legal philosophies for each justice This new volume is an updated edition of *The Supreme Court Justices A Biographical Dictionary* 1994 It will prove a valuable resource for academic community college law school and public libraries

The Bill of Rights in Modern America David J. Bodenhamer, James W. Ely (Jr.), 2008 An expert guide to current debates on individual rights in America

The Supreme Court Justices Melvin Urofsky, 1994-09 First published in 1994 Routledge is an imprint of Taylor Francis an informa company

The History of Indiana Law David J. Bodenhamer, Randall T. Shepard, 2014-08-27 Long regarded as a center for middle American values Indiana is also a cultural crossroads that has produced a rich and complex legal and constitutional heritage The History of Indiana Law traces this history through a series of expert articles by identifying the themes that mark the state s legal development and establish its place within the broader context of the Midwest and nation The History of Indiana Law explores the ways in which the state s legal culture responded to and at times resisted the influence of national legal developments including the tortured history of race relations in Indiana Legal issues addressed by the contributors include the Indiana constitutional tradition civil liberties race women s rights family law welfare and the poor education crime and punishment juvenile justice the role of courts and judiciary and landmark cases The essays describe how Indiana law has adapted to the needs of an increasingly complex society The History of Indiana Law is an indispensable reference and invaluable first source to learn about law and society in Indiana during almost two centuries of statehood

The Guardian of Every Other Right James W. Ely Jr., 2007-11-30 The Guardian of Every Other Right chronicles the pivotal role of property rights in fashioning the American constitutional order from the colonial era to the current controversies over eminent domain and land use controls The book emphasizes the interplay of law ideology politics and economic change in shaping constitutional thought and provides a historical perspective on the contemporary debate about property rights Since publication of the original edition of this work both academic and popular interest in the constitutional rights of property owners has markedly increased Now in its third edition this text has been revised to incorporate a full treatment of important judicial decisions notable legislation and scholarship since the second edition appeared in 1997 In particular Ely provides helpful background and context for understanding the controversial Kelo decision relating to the exercise of eminent domain power for public use Covering the entire history of property rights in the United States this new edition continues to fill a major gap in the literature of constitutional history and is an ideal text for students of legal and constitutional history

When Abortion Was a Crime Leslie J.

Reagan,2022-02-22 The definitive history of abortion in the United States with a new preface that equips readers for what s to come When Abortion Was a Crime is the must read book on abortion history Originally published ahead of the thirtieth anniversary of Roe v Wade this award winning study was the first to examine the entire period during which abortion was illegal in the United States beginning in the mid nineteenth century and ending with that monumental case in 1973 When Abortion Was a Crime is filled with intimate stories and nuanced analysis demonstrating how abortion was criminalized and policed and how millions of women sought abortions regardless of the law With this edition Leslie J Reagan provides a new preface that addresses the dangerous and ongoing threats to abortion access across the country and the precarity of our current moment While abortions have typically been portrayed as grim back alley operations this deeply researched history confirms that many abortion providers including physicians practiced openly and safely despite prohibitions by the state and the American Medical Association Women could find cooperative and reliable practitioners but prosecution public humiliation loss of privacy and inferior medical care were a constant threat Reagan s analysis of previously untapped sources including inquest records and trial transcripts shows the fragility of patient rights and raises provocative questions about the relationship between medicine and law With the right to abortion increasingly under attack this book remains the definitive history of abortion in the United States offering vital lessons for every American concerned with health care civil liberties and personal and sexual freedom

Government and Business: American Political Economy in Comparative Perspective Richard Lehne,2012-03-23 In this thoroughly updated edition Lehne takes a comparative approach evaluating the U S political economy with respect to those of Great Britain Germany Japan and the EU The book provides detailed historical context for and a conceptual understanding of the business government environment and then clarifies the roles of the major actors and outlines the regulatory and policy frameworks Along the way Lehne probes some of the most crucial dilemmas facing government and business today

Origins of the Dred Scott Case Austin Allen,2010-01-25 The Supreme Court s 1857 Dred Scott decision denied citizenship to African Americans and enabled slavery s westward expansion It has long stood as a grievous instance of justice perverted by sectional politics Austin Allen finds that the outcome of Dred Scott hinged not on a single issue slavery but on a web of assumptions agendas and commitments held collectively and individually by Chief Justice Roger B Taney and his colleagues Allen carefully tracks arguments made by Taney Court justices in more than 1 600 reported cases in the two decades prior to Dred Scott and in its immediate aftermath By showing us the political professional ideological and institutional contexts in which the Taney Court worked Allen reveals that Dred Scott was not simply a victory for the Court s prosouthern faction It was instead an outgrowth of Jacksonian jurisprudence an intellectual system that charged the Court with protecting slavery preserving both federal power and state sovereignty promoting economic development and securing the legal foundations of an emerging corporate order all at the same time Here is a wealth of new insight into the internal dynamics of the Taney Court and the origins of its most infamous decision

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