# The Lost World Classical Legal Thought

Law and Ideology in America, 1886–1937

William M. Wiecek

# William M Wiecek Book

**G. Edward White** 

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A History of American Law: Third Edition Lawrence M. Friedman, 2005-06-01 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 government crime and justice Now completely revised and updated this groundbreaking work incorporates new material regarding slavery criminal justice and twentieth century law For laymen and students alike this remains the only comprehensive authoritative history of American law Bulletin of the Atomic Scientists, 1985-05 The Bulletin of the Atomic Scientists is the premier public resource on scientific and technological developments that impact global security Founded by Manhattan Project Scientists the Bulletin's iconic Doomsday Clock stimulates solutions for a safer world <u>Liberty Mark E. Neely Jr., 1992-08-20 If Abraham Lincoln was known as the Great Emancipator he was also the only president</u> to suspend the writ of habeas corpus Indeed Lincoln's record on the Constitution and individual rights has fueled a century of debate from charges that Democrats were singled out for harrassment to Gore Vidal s depiction of Lincoln as an absolute dictator Now in the Pulitzer Prize winning The Fate of Liberty one of America's leading authorities on Lincoln wades straight into this controversy showing just who was jailed and why even as he explores the whole range of Lincoln's constitutional policies Mark Neely depicts Lincoln s suspension of habeas corpus as a well intentioned attempt to deal with a floodtide of unforeseen events the threat to Washington as Maryland flirted with secession disintegrating public order in the border states corruption among military contractors the occupation of hostile Confederate territory contraband trade with the South and the outcry against the first draft in U S history Drawing on letters from prisoners records of military courts and federal prisons memoirs and federal archives he paints a vivid picture of how Lincoln responded to these problems how his policies were actually executed and the virulent political debates that followed Lincoln emerges from this account with this legendary states man ship intact mindful of political realities and prone to temper the sentences of military courts concerned not with persecuting his opponents but with prosecuting the war efficiently In addition Neely explores the abuses of power under the regime of martial law the routine torture of suspected deserters widespread antisemitism among Union generals and officials the common practice of seizing civilian hostages He finds that though the system of military justice was flawed it suffered less from merciless zeal or political partisanship than from inefficiency and the friction and complexities of modern war Informed by a deep understanding of a unique period in American history this incisive book takes a comprehensive look at the issues of civil liberties during Lincoln's administration placing them firmly in the political context of the time Written with keen insight and an intimate grasp of the original sources The Fate of Liberty offers a vivid picture of the crises and chaos of

a nation at war with itself changing our understanding of this president and his most controversial policies *The Constitution and the New Deal* G. Edward White,2002-05-15 In a powerful new narrative G Edward White challenges the reigning understanding of twentieth century Supreme Court decisions particularly in the New Deal period He does this by rejecting such misleading characterizations as liberal conservative and reactionary and by reexamining several key topics in constitutional law Through a close reading of sources and analysis of the minds and sensibilities of a wide array of justices including Holmes Brandeis Sutherland Butler Van Devanter and McReynolds White rediscovers the world of early twentieth century constitutional law and jurisprudence He provides a counter story to that of the triumphalist New Dealers The deep conflicts over constitutional ideas that took place in the first half of the twentieth century are sensitively recovered and the morality play of good liberals vs mossbacks is replaced This is the only thoroughly researched and fully realized history of the constitutional thought and practice of all the Supreme Court justices during the turbulent period that made America modern

Keeping the Faith John E. Semonche, 2000-01-01 This ambitious and accessible history of the nation's highest court contains information important for every American to know Student's Guide to the Supreme Court Bruce J. Schulman, 2010-05-03 Student's Guide to the Supreme Court examines the history of America's highest court using a three part approach that is tailor made for students new to the topic American Comparative Law David Scott Clark, 2022 Historical Comparative Law and Comparative Legal History Legal history and comparative law overlap in important respects This is more apparent with the use of some methods for comparison such as legal transplant natural law or nation building M N S Sellers nicely portrayed the relationship The past is a foreign country its people strangers and its laws obscure No one can really understand her or his own legal system without leaving it first and looking back from the outside The comparative study of law makes one s own legal system more comprehensible by revealing its idiosyncrasies Legal history is comparative law without travel Legal historians perhaps especially in the United States have been skeptical about the possibility of a fruitful comparative legal history preferring in general to investigate the distinctiveness of their national experience Comparatists however content with revealing or promoting similarities or differences between legal systems by their nature strive toward comparison Some American historians especially since World War II see the value in this Frederick **Douglass** Peter C. Myers, 2023-09-15 For Frederick Douglass the iconic nineteenth century slave and abolitionist the foundations for his arguments in support of racial equality rested on natural rights and natural law and the bold proclamation of the Declaration of Independence that all men are created equal But because many Americans never observed this principle and in Douglass s day even renounced it he made it his life s work to move the nation toward this vision of a more noble liberalism Peter Myers now considers that effort and the natural rights arguments by which Douglass confronted race in America Myers examines the philosophic core of Douglass's political thought offering a greater understanding of its depth and coherence He depicts Douglass as the leading thinker to apply the Founders doctrine of natural rights to the plight of

African Americans an activist who grounded his arguments on the rights guaranteed by the Constitution and the inherent injustice not only of slavery but of any form of racial superiority Myers first reconsiders Douglass's descriptive analysis of slavery developing his arguments for its natural wrongness and for its natural weakness in conjunction with the right of resistance He then examines Douglass s understandings of civil government in general and of the U S constitutional order in particular exploring his argument on the Constitution's relation to slavery and his thoughts on the powers and duties of the federal and state governments in the matter of postslavery race relations including new insight into Douglass s controversial do nothing doctrine Myers argues that Douglass s political thought at its core is both more coherent and more defensible in substance than his critics acknowledge He maintains that Douglass was right in finding the natural rights principles of the Declaration a sufficient theoretical basis for addressing the nation s racial problems and contends that his hopefulness for the demise of slavery and white supremacy was marked by moderation and realism Myers finds in Douglass's political thought the foundations of a revitalized argument for the mainstream civil rights integrationist tradition of African American political thought His analysis offers a new way of looking at an important thinker as well as a compelling case for hoping that race relations in America will improve over time **A Companion to Post-1945 America** Jean-Christophe Agnew, Roy Rosenzweig, 2008-04-15 A Companion to Post 1945 America is an original collection of 34 essays by key scholars on the history and historiography of Post 1945 America Covers society and culture people and movements politics and foreign policy Surveys and evaluates the best scholarship on every importantera and topic Includes book review section on essential The Supreme Court Justices Melvin Urofsky, 1994-09 First published in 1994 Routledge is an imprint of readings Taylor Francis an informa company **Slavery and the Founders** Paul Finkelman, 2014-04-09 In Slavery and the Founders Paul Finkelman addresses a central issue of the American founding how the first generation of leaders of the United States dealt with the profoundly important question of human bondage The book explores the tension between the professed idea of America as stated in the Declaration of Independence and the reality of the early American republic reminding us of the profound and disturbing ways that slavery affected the U S Constitution and early American politics It also offers the most important and detailed short critique of Thomas Jefferson's relationship to slavery available while at the same time contrasting his relationship to slavery with that of other founders This third edition of Slavery and the Founders incorporates a new chapter on the regulation and eventual 1808 banning of the African slave trade Reader's Guide to the Social **Sciences** Jonathan Michie, 2014-02-03 This 2 volume work includes approximately 1 200 entries in A Z order critically reviewing the literature on specific topics from abortion to world systems theory In addition nine major entries cover each of the major disciplines political economy management and business human geography politics sociology law psychology organizational behavior and the history and development of the social sciences in a broader sense The Glorious Cause Robert Middlekauff, 2007-03-09 The first book to appear in the illustrious Oxford History of the United States this critically

acclaimed volume a finalist for the Pulitzer Prize offers an unsurpassed history of the Revolutionary War and the birth of the American republic Beginning with the French and Indian War and continuing to the election of George Washington as first president Robert Middlekauff offers a panoramic history of the conflict between England and America highlighting the drama and anguish of the colonial struggle for independence Combining the political and the personal he provides a compelling account of the key events that precipitated the war from the Stamp Act to the Tea Act tracing the gradual gathering of American resistance that culminated in the Boston Tea Party and the shot heard round the world The heart of the book features a vivid description of the eight year long war with gripping accounts of battles and campaigns ranging from Bunker Hill and Washington's crossing of the Delaware to the brilliant victory at Hannah's Cowpens and the final triumph at Yorktown paying particular attention to what made men fight in these bloody encounters The book concludes with an insightful look at the making of the Constitution in the Philadelphia Convention of 1787 and the struggle over ratification Through it all Middlekauff gives the reader a vivid sense of how the colonists saw these events and the importance they gave to them Common soldiers and great generals Sons of Liberty and African slaves town committee men and representatives in congress all receive their due And there are particularly insightful portraits of such figures as Sam and John Adams James Otis Thomas Jefferson George Washington and many others This new edition has been revised and expanded with fresh coverage of topics such as mob reactions to British measures before the War military medicine women s role in the Revolution American Indians the different kinds of war fought by the Americans and the British and the ratification of the Constitution The book also has a new epilogue and an updated bibliography The cause for which the colonists fought liberty and independence was glorious indeed. Here is an equally glorious narrative of an event that changed the world capturing the profound and passionate struggle to found a free nation The Oxford History of the United States The Oxford History of the United States is the most respected multi volume history of our nation The series includes three Pulitzer Prize winners a New York Times bestseller and winners of the Bancroft and Parkman Prizes The Atlantic Monthly has praised it as the most distinguished series in American historical scholarship a series that synthesizes a generation s worth of historical inquiry and knowledge into one literally state of the art book Conceived under the general editorship of C Vann Woodward and Richard Hofstadter and now under the editorship of David M Kennedy this renowned series blends social political economic cultural diplomatic and military history into coherent and vividly written narrative Dred Scott and the Politics of Slavery Earl M. Maltz,2007 Closely examines on 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 Racist America Joe R. Feagin, 2001 Despite the apparent advances since the civil rights era America remains fundamentally racist argues award winning author Joe Feagin Racist America is a bold thoughtful exploration of the ubiquity of race in

contemporary life From a black New Jersey dentist stopped by police more than 100 times for driving to work in an expensive car to the labourer who must defend his promotion against charges of undeserved affirmative action Feagin lays bare the economic ideologic and political structure of American racism In doing so he develops an antiracist theory rooted not only in the latest empirical data but also in the current reality of racism in the U S 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 A History of American Law Lawrence Meir Friedman, 2019 Renowned legal historian Lawrence Friedman presents an accessible and authoritative history of American law from the colonial era to the present day This fully revised fourth edition incorporates the latest research to bring this classic work into the twenty first century In addition to looking closely at timely issues like race relations the book covers the changing configurations of commercial law criminal law family law and the law of property Friedman furthermore interrogates the vicissitudes of the legal profession and legal education. The underlying theory of this eminently readable book is that the law is the product of society In this way we can view the history of the legal system The People's Martyr Erik J. Chaput, 2013-09-10 In 1840s through a sociological prism as it has evolved over the years Rhode Island the state's seventeenth century colonial charter remained in force and restricted suffrage to property owners effectively disenfranchising 60 percent of potential voters Thomas Wilson Dorr s failed attempt to rectify that situation through constitutional reform ultimately led to an armed insurrection that was quickly quashed and to a stiff sentence for Dorr himself Nevertheless as Erik Chaput shows the Dorr Rebellion stands as a critical moment of American history during the two decades of fractious sectional politics leading up to the Civil War This uprising was the only revolutionary republican movement in the antebellum period that claimed the people's sovereignty as the basis for the right to alter or abolish a form of government Equally important it influenced the outcomes of important elections throughout northern states in the early 1840s and foreshadowed the breakup of the national Democratic Party in 1860 Through his spellbinding and engaging narrative Chaput sets the rebellion in the context of national affairs especially the abolitionist movement While Dorr

supported the rights of African Americans a majority of delegates to the People's Convention favored a whites only clause to ensure the proposed constitution s passage which brought abolitionists such as Frederick Douglass Parker Pillsbury and Abby Kelley to Rhode Island to protest Meanwhile Dorr s ideology of the people's sovereignty sparked profound fears among Southern politicians regarding its potential to trigger slave insurrections Drawing upon years of extensive archival research Chaput's book provides the first scholarly biography of Dorr as well as the most detailed account of the rebellion yet published In it Chaput tackles issues of race and gender and carries the story forward into the 1850s to examine the transformation of Dorr s ideology into the more familiar refrain of popular sovereignty Chaput demonstrates how the rebellion's real aims and significance were far broader than have been supposed encompassing seemingly conflicting issues including popular sovereignty antislavery land reform and states rights The People's Martyr is a definitive look at a key event in our history that further defined the nature of American democracy and the form of constitutionalism we now hold as inviolable An Imperfect Union Paul Finkelman, 2000 Originally published Chapel Hill N C University of North Carolina Press c1981 Sex and Citizenship in Antebellum America Nancy Isenberg, 1998 With this book Nancy Isenberg illuminates the origins of the women's rights movement Rather than herald the singular achievements of the 1848 Seneca Falls convention she examines the confluence of events and ideas before and after 1848 that in her vie

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