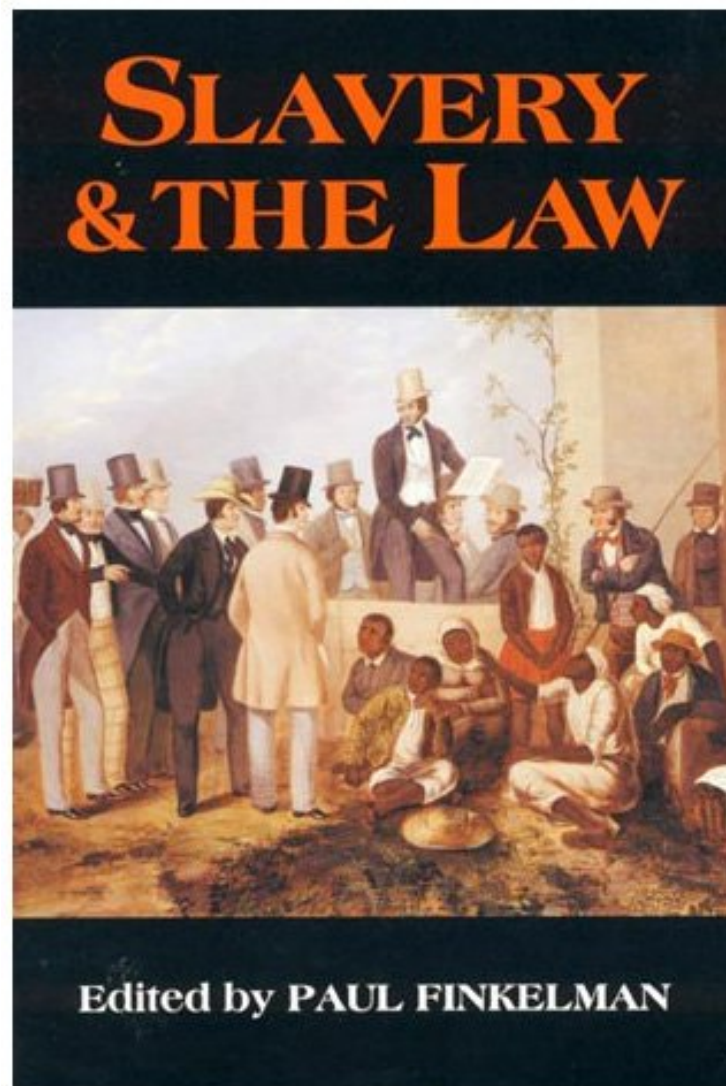


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Slavery the Law

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2 of 2 people found the following review helpful. A wonderful overviewBy LaborhistorianI've really enjoyed Finkleman's work and so I had high expectations for this book. That being said, I was still surprised by the clarity and detail of this work. For anyone who is serious about evidence and its uses, this is the first book on the history of slavery that you should have on your shelf.

Central to the development of the American legal system, writes Professor Finkelman in *Slavery the Law*, is the institution of slavery. It informs us not only about early concepts of race and property, but about the nature of American democracy itself. Prominent historians of slavery and legal scholars analyze the intricate relationship between slavery, race, and the law from the earliest Black Codes in colonial America to the passage of the Fugitive Slave Law and the Dred Scott decision prior to the Civil War. *Slavery the Law's* wide-ranging essays focus on comparative slave law, auctioneering practices, rules of evidence, and property rights, as well as issues of criminality, punishment, and constitutional law. What emerges from this multi-faceted portrait is a complex legal system designed to ensure the property rights of slave-holders and to institutionalize racism. The ultimate result was to strengthen the institution of slavery in the midst of a growing trend toward democracy in the mid-nineteenth-century Atlantic community.

From Library Journal Finkelman (law, Harvard) has compiled a comprehensive analysis of American slavery, tackling the subject from a legal perspective rather than from a purely historical one. This fresh and effective approach permits not only a deeper understanding of American legal history but also a more fundamental examination of the antebellum moral and intellectual justifications for slavery. Each chapter, authored by prominent historians and legal scholars, explores how the brutality of slavery was wholly backed by the legal system, including such actions as slave auctions held on courthouse steps, the enactment of the Federal Fugitive Slave Law of 1850, and the hesitancy to indict owners for the inhumane punishment of slaves. Still, the law was often contradictory and uneven, owing to the fact that whites changed the nature of racist stereotypes to fit every situation. It was this inability of the law to respond to every detail of racial imagery that ultimately helped to undermine the system. This work will be integral to all period history studies. Highly recommended for academic and large public libraries. —Steven Anderson, Baltimore Cty. Circuit Court Law Lib. Copyright 1997 Reed Business Information, Inc. This fresh and effective approach permits not only a deeper understanding of American legal history but also a more fundamental examination of the antebellum moral and intellectual justification of slavery. . . . Highly recommended. (Library Journal) These essays present some of the most exciting works being done today on the history of slavery and the law. Drawing on archives to illuminate the law-in-action, and on doctrine and legal theory to illuminate the ideology of slave law, they provide both an introductory overview and exemplary studies that show what historians of law can do to illuminate the social system that was slavery. (Mark V. Tushnet) The eminent contributors here provide sophisticated analyses of slavery-related issues in America from the seventeenth century through abolition. Experts in the field will find this a hearty intellectual banquet; students new to the topic will discover the fascinating and fatal conjunction of race, status, and law in the American experience. (William C. Wiecek) This superb collection should be read by all who have an interest in the history of slavery in America. Some of our nation's finest scholars explain how the institution helped to shape our past, and continues to affect us today. (Gordon-Reed, Annette) This work will be integral to all period history studies. Highly recommended. (Library Journal) About the Author Paul Finkelman is one of the most prolific scholars of legal history and early American culture. He is author or editor of over forty books including *Dred Scott v. Sandford: A Brief History With Documents*, *Slavery and the Founders: Race and Liberty in the Age of Jefferson*, *An Imperfect Union: Slavery, Federalism and Comity*, and *His Soul Goes Marching On: Responses to John Brown and the Harper's Ferry Raid*. He is currently Chapman Distinguished Professor of Law at the University of Tulsa.