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# THE DRED SCOTT CASE



*Its Significance in American Law and Politics*

**DON E. FEHRENBACHER**

# The Dred Scott Case Its Significance In American Law And Politics

**Stephen F. Knott**



## **The Dred Scott Case Its Significance In American Law And Politics:**

The Dred Scott Case Don Edward Fehrenbacher,2001 Studies this famous case of judicial failure and discusses the legal bases of slavery the debate over the Constitution and the dispute over slavery and continental expansion *Slavery, Law,*

*and Politics* Don Edward Fehrenbacher,1981 Abridged ed of the author s *The Dred Scott case its significance in American law and politics* **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 **The Supreme Court in American Politics**

Howard Gillman,Cornell W. Clayton,1999 For decades political scientists studying the Court have adopted behavioral approaches and focused on the relatively narrow question of how the justices policy preferences influence their voting behavior This emphasis has illuminated important aspects of Supreme Court politics but it has also left unaddressed many other important questions about this unique and fascinating institution Drawing on the new institutionalism in the social sciences the distinguished contributors to this volume attempt to fill this gap by exploring a variety of topics including the Court s institutional development and its relationship to broader political contexts such as party regimes electoral systems social movements social change legal precedents political identities and historically evolving economic structures The book s initial chapters examine the nature of the Court s distinctive norms as well as the development of its institutional powers and practice A second section relates the development of Supreme Court politics to the historical development of other political institutions and social movements Concluding chapters explore how its decision making in particular areas of law or periods of time is influenced by and influences its socio political milieu These contributions offer provocative insights regarding the Court s role in maintaining or disrupting political and economic structures as well as social structures and identities tied to ideology class race gender and sexual orientation *The Supreme Court in American Politics* shows how we can develop an enriched understanding of this institution and open up exciting new areas of research by placing it in the broader context of politics in the United States **Constitutionalism and American Culture** Sandra F. VanBurkleo,Kermit L. Hall,Robert J.

Kaczorowski, 2002 Cultural history and the amendment New York Times v Sullivan and its times Kermit L Hall New directions in American constitutional history Words as hard as cannon balls women's rights agitation And liberty of speech in nineteenth century America Sandra F VanBurkleo Race state market and civil society in constitutional history Mark Tushnet Constitutional history and the cultural turn cross Examining the legal realist narratives of Henry Fonda Norman L Rosenberg Contributors

**The Guide to American Law**, 1984 12 vol includes index

**Encyclopedia of U.S. Political History** Andrew Whitmore Robertson, 2010 Annotation st1 behavior url ieouui Unparalleled coverage of U S political development through a unique chronological framework Encyclopedia of U S Political History explores the events policies activities institutions groups people and movements that have created and shaped political life in the United States With contributions from scholars in the fields of history and political science this seven volume set provides students researchers and scholars the opportunity to examine the political evolution of the United States from the 1500s to the present day With greater coverage than any other resource the Encyclopedia of U S Political History identifies and illuminates patterns and interrelations that will expand the reader's understanding of American political institutions culture behavior and change Focusing on both government and history the Encyclopedia brings exceptional breadth and depth to the topic with more than 100 essays for each of the critical time periods covered With each volume covering one of seven time periods that correspond to key eras in American history the essays and articles in this authoritative encyclopedia focus on the following themes of political history The three branches of government Elections and political parties Legal and constitutional histories Political movements and philosophies and key political figures Economics Military politics International relations treaties and alliances Regional histories Key Features Organized chronologically by political eras Reader's guide for easy topic searching across volumes Maps photographs and tables enhance the text Signed entries by a stellar group of contributors

**VOLUME 1** Colonial Beginnings through Revolution 1500 1783 Volume Editor Andrew Robertson Herbert H Lehman College The colonial period witnessed the transformation of thirteen distinct colonies into an independent federated republic This volume discusses the diversity of the colonial political experience a diversity that modern scholars have found defies easy synthesis as well as the long term conflicts policies and events that led to revolution and the ideas underlying independence

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**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

Race, Racism, and American Law Derrick Bell, 2000 This major revision of a groundbreaking

casebook sets the foundation for an intriguing course in civil rights or race And The law Now accompanied by a Teacher s Manual For The first time RACE RACISM AND AMERICAN LAW Fourth Edition Is a penetrating and provocative analysis of the role of race in American law and society by the noted author And The originator of critical race theory This scrupulously revised casebook now offers an appendix of lightly edited historical and contemporary cases for instructors who prefer a fuller case treatment expanded coverage that includes Latino and Asian minorities commentary on the Supreme Court s conception of a color blind society and its effects on voting employment and affirmative action discussion of Professor Lani Guinier s views on proportional representation consideration of the disproportionately high percentage of blacks and Hispanics in American prisons an examination of the role of the media in propagating societal fear of minorities new cases in employment discrimination analysis of the impact of the technological age on workers with minimal skills Bell uses a wide range of materials to convey important points Interdisciplinary excerpts from historical sociological and psychological publications provide comprehensive coverage of all aspects of the subject in each chapter creative hypothetical exercises in consciousness raising help students realize the insidious nature and complex consequences of racism in the United States Seminal cases from the annals of history show the relevance of past events to contemporary race relations Original critical race theory supplies essential perspective while allowing students to reach their own conclusions If you haven t already used Derrick Bell s pioneering casebook this all new edition and its helpful Teacher s Manual will make you want to reconsider Repeat users will be able to revitalize their presentation through the updated expanded content and new Appendix of cases that still preserve the distinctive character of the book Civil Rights, the Constitution, and Congress, 1863-1869 Earl M. Maltz, 1990 Through a close analysis of legislative proceedings and of the precise language used Maltz builds a strong case that Congressional actions on civil rights including statutes such as the Freedman s Bureau Bill the District of Columbia Suffrage Bill and the Civil Rights Act of 1866 as well as the thirteenth fourteenth and fifteenth amendments of the early Reconstruction era generally reflected the ideology and intentions of the more conservative Republicans These moderates advocated limited absolute equality rather than total racial equality and opposed the undue federal regulation of private and state actions **Interpreting the Founding** Alan Ray Gibson, 2006 As politicians and judges argue over the original intent of our country s founding fathers the American Founding itself continues to inspire a prodigious amount of research and commentary reflecting a bewildering array of methods and interpretations Alan Gibson now offers readers an insightful and convenient guide through this daunting and sprawling body of scholarship Comprehensive and judicious Interpreting the Founding provides summaries and analyses of the leading interpretive frameworks that have guided the study of the Founding since the publication of Charles Beard s An Economic Interpretation of the Constitution in 1913 Gibson argues that scholarship on the Founding is no longer steered by a single dominant approach or even by a set of questions that control its direction He also examines the challenges posed to Founding scholarship by this diversity and complexity and the

possibilities opened by new avenues of inquiry that have recently emerged scholars of the Founding including Louis Hartz Bernard Bailyn Gordon Wood and Garry Wills that best exemplify different schools of interpretation Gibson focuses on six approaches that have dominated the modern study of the Founding Progressive Lockean liberal Republican Scottish Enlightenment multicultural and multiple traditions approaches For each approach he traces its fundamental assumptions revealing deeper ideological and methodological differences between schools of thought that on the surface seem to differ only about the interpretation of historical facts While previous accounts have treated the study of the Founding as the sequential replacement of one paradigm by another Gibson argues that all of these interpretations survive as alternative and still viable approaches each has simultaneously illuminated and masked core truths about the American Founding he renders a balanced account of the current debate over the origins and foundations of the American republic and offers solid footing on the path to understanding the vast literature devoted to this important subject

**Civility and Its Discontents** Christine T. Sistare, 2004 Contributors from philosophy and political science discuss the observation that civility civic virtue tolerance and socio cultural unity have declined while exploring the nature of civil society the conflict between individual liberty and the common good and the role of law and government policy in weaving the threads of the social fabric From publisher description

*Race and Ethnicity in America* Russell M. Lawson, Benjamin A. Lawson, 2019-10-11 Divided into four volumes *Race and Ethnicity in America* provides a complete overview of the history of racial and ethnic relations in America from pre contact to the present The five hundred years since Europeans made contact with the indigenous peoples of America have been dominated by racial and ethnic tensions During the colonial period from 1500 to 1776 slavery and servitude of whites blacks and Indians formed the foundation for race and ethnic relations After the American Revolution slavery labor inequalities and immigration led to racial and ethnic tensions after the Civil War labor inequalities immigration and the fight for civil rights dominated America's racial and ethnic experience From the 1960s to the present the unfulfilled promise of civil rights for all ethnic and racial groups in America has been the most important sociopolitical issue in America *Race and Ethnicity in America* tells this story of the fight for equality in America The first volume spans pre contact to the American Revolution the second the American Revolution to the Civil War the third Reconstruction to the Civil Rights Movement and the fourth the Civil Rights Movement to the present All volumes explore the culture society labor war and politics and cultural expressions of racial and ethnic groups

*Alexander Hamilton and the Persistence of Myth* Stephen F. Knott, 2002 Knott observes that Thomas Jefferson and his followers and later Andrew Jackson and his adherents tended to view Hamilton and his principles as un American While his policies generated mistrust in the South and the West where he is still seen as the founding plutocrat Hamilton was revered in New England and parts of the mid Atlantic states Hamilton's image as a champion of American nationalism caused his reputation to soar during the Civil War at least in the North However in the wake of Gilded Age excesses progressive and populist political leaders branded Hamilton as the patron saint of Wall Street

and his reputation began to disintegrate BOOK JACKET **The Fugitive's Properties** Stephen M. Best, 2004-04-02 In this study of literature and law before and since the Civil War Stephen M Best shows how American conceptions of slavery property and the idea of the fugitive were profoundly interconnected The Fugitive s Properties uncovers a poetics of intangible personified property emerging out of antebellum laws circulating through key nineteenth century works of literature and informing cultural forms such as blackface minstrelsy and early race films Best also argues that legal principles dealing with fugitives and indebted persons provided a sophisticated precursor to intellectual property law as it dealt with rights in appearance expression and other abstract aspects of personhood In this conception of property as fleeting indeed fugitive American law preserved for much of the rest of the century slavery s most pressing legal imperative the production of personhood as a market commodity By revealing the paradoxes of this relationship between fugitive slave law and intellectual property law Best helps us to understand how race achieved much of its force in the American cultural imagination A work of ambitious scope and compelling cross connections The Fugitive s Properties sets new agendas for scholars of American literature and legal culture Encyclopedia of U.S. Political History Andrew Robertson, Michael A. Morrison, William G. Shade, Robert Johnston, Robert Zieger, Thomas Langston, Richard Valelly, 2010-04-01 Unparalleled coverage of U S political development through a unique chronological framework Encyclopedia of U S Political History explores the events policies activities institutions groups people and movements that have created and shaped political life in the United States With contributions from scholars in the fields of history and political science this seven volume set provides students researchers and scholars the opportunity to examine the political evolution of the United States from the 1500s to the present day With greater coverage than any other resource the Encyclopedia of U S Political History identifies and illuminates patterns and interrelations that will expand the reader s understanding of American political institutions culture behavior and change Focusing on both government and history the Encyclopedia brings exceptional breadth and depth to the topic with more than 100 essays for each of the critical time periods covered With each volume covering one of seven time periods that correspond to key eras in American history the essays and articles in this authoritative encyclopedia focus on the following themes of political history The three branches of government Elections and political parties Legal and constitutional histories Political movements and philosophies and key political figures Economics Military politics International relations treaties and alliances Regional histories Key Features Organized chronologically by political eras Reader s guide for easy topic searching across volumes Maps photographs and tables enhance the text Signed entries by a stellar group of contributors VOLUME 1 Colonial Beginnings through Revolution 1500 1783 Volume Editor Andrew Robertson Herbert H Lehman College The colonial period witnessed the transformation of thirteen distinct colonies into an independent federated republic This volume discusses the diversity of the colonial political experience a diversity that modern scholars have found defies easy synthesis as well as the long term conflicts policies and events that led to revolution

and the ideas underlying independence VOLUME 2 The Early Republic 1784 1840 Volume Editor Michael A Morrison Purdue University No period in the history of the United States was more critical to the foundation and shaping of American politics than the early American republic This volume discusses the era of Confederation the shaping of the U S Constitution and the development of the party system VOLUME 3 Expansion Division and Reconstruction 1841 1877 Volume Editor William Shade Lehigh University emeritus This volume examines three decades in the middle of the nineteenth century which witnessed the emergence of the debate over slavery in the territories which eventually led to the Civil War the military conflict itself from 1861 until 1865 and the process of Reconstruction which ended with the readmission of all of the former Confederate States to the Union and the withdrawal of the last occupying federal troops from those states in 1877 VOLUME 4 From the Gilded Age through the Age of Reform 1878 1920 Volume Editor Robert Johnston University of Illinois at Chicago With the withdrawal of federal soldiers from Southern states the previous year 1878 marked a new focus in American politics and it became recognizably modern within the next 40 years This volume focuses on race and politics economics labor and capitalism agrarian politics and populism national politics progressivism foreign affairs World War I and the end of the progressive era VOLUME 5 Prosperity Depression and War 1921 1945 Volume Editor Robert Zieger University of Florida Between 1921 and 1945 the U S political system exhibited significant patterns of both continuity and change in a turbulent time marked by racist conflicts the Great Depression and World War II The main topics covered in this volume are declining party identification the Roosevelt Coalition evolving party organization congressional inertia in the 1920s the New Deal Congress during World War II the growth of the federal government Franklin D Roosevelt s presidency the Supreme Court s conservative traditions and a new judicial outlook VOLUME 6 Postwar Consensus to Social Unrest 1946 1975 Volume Editor Thomas Langston Tulane University This volume examines the postwar era with the consolidation of the New Deal the onset of the Cold War and the Korean War It then moves into the 1950s and early 1960s and discusses the Vietnam war the era of John F Kennedy the Cuban Missile Crisis the Civil Rights Act Martin Luther King and the Voting Rights Act antiwar movements The War Powers Act environmental policy the Equal Rights Amendment Roe v Wade Watergate and the end of the Vietnam War VOLUME 7 The Clash of Conservatism and Liberalism 1976 to present Volume Editor Richard Valelly Swarthmore College The troubled Carter Administration 1977 1980 proved to be the political gateway for the resurgence of a more ideologically conservative Republican party led by a popular president Ronald Reagan The last volume of the Encyclopedia covers politics and national institutions in a polarized era of nationally competitive party politics and programmatic debates about taxes social policy and the size of national government It also considers the mixed blessing of the change in superpower international competition associated with the end of the Cold War Stateless terrorism symbolized by the 9 11 attacks the continuing American tradition of civil liberties and the broad change in social diversity wrought by immigration and the impact in this period of the rights revolutions are also covered

**Religious Liberty in America** Louis



Fisher, 2002 It is often assumed that the judiciary especially the Supreme Court provides the best protection of our religious freedom Louis Fisher however argues that only on occasion does the Court lead the charge for minority rights More likely it is seen pulling up the rear By contrast Congress frequently acts to protect religious groups by exempting them from general laws on taxation social security military service labor and countless other statutes Indeed legislative action on behalf of religious freedom is an American success story but one that renowned constitutional authority Fisher argues has been poorly understood by most of us Taking in the full span of American history Fisher demonstrates that over the course of two centuries of American government Congress has often been in the forefront of establishing and protecting rights that have been neglected denied or unrecognized by the Court and that statutory provisions far outstrip in both number and importance the court cases that have expanded religious rights In this concise and insightful book Fisher presents a series of important case studies that explain how Supreme Court rulings on religious liberty have been challenged and countermanded by public pressures legislation and independent state action He tells how religious groups interested in securing the rights of conscientious objectors received satisfaction by taking their cases to Congress not the courts how public uproar over a 1940 Supreme Court ruling sustaining compulsory flag salutes resulted in a court reversal and how Congress intervened in a 1986 ruling upholding a military prohibition of skullcaps for Jews By describing other controversies such as school prayer Indian religious freedom the religious use of peyote and statutory exemptions for religious organizations Fisher convincingly demonstrates that we must understand the political and not just the judicial context for the safeguards that protect religious minorities As this book shows the origin and growth of an individual's right to believe or not believe and the securing of that right has occurred almost entirely outside the courtroom Religious Liberty in America persuasively challenges judicial supremacists on church state issues and provides a highly readable introduction for all students and citizens concerned with their right to believe as they wish

**The Dred Scott Case** David Thomas Konig, Paul Finkelman, Christopher Alan Bracey, 2010-06-08 The Dred Scott Case Historical and Contemporary Perspectives on Race and Law presents original research and the reflections of the nation's leading scholars who gathered in St Louis to mark the 150th anniversary of what was arguably the most infamous decision of the U S Supreme Court The decision which held that African Americans had no rights under the Constitution and that Congress had no authority to alter that galvanized Americans and thrust the issue of race and law to the center of American politics

**The Presidency of Abraham Lincoln** Phillip Shaw Paludan, 1994 In this study Paludan offers us Lincoln in the round a complex even contradictory personality who found greatness without seeking it and who felt deeply troubled about what he perceived as his failings as a President and person

**Frederick Douglass** Peter C. Myers, 2008 An intellectual portrait of the iconic 19th century slave and abolitionist who took the lead in applying the Founders doctrine of natural rights to the plight of African Americans Reveals how Douglass's vision still guides contemporary liberalism

Immerse yourself in heartwarming tales of love and emotion with is touching creation, **The Dred Scott Case Its Significance In American Law And Politics** . This emotionally charged ebook, available for download in a PDF format ( PDF Size: \*), is a celebration of love in all its forms. Download now and let the warmth of these stories envelop your heart.

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