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# Reconstructing American Law

Ackerman, B

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# Reconstructing American Law

**Annie Heloise Abel**



## **Reconstructing American Law:**

**Reconstructing American Legal Realism & Rethinking Private Law Theory** Hanoch Dagan,2013-09 This book demonstrates how legal realism offers important and unique jurisprudential insights that are not just a part of legal history but are also relevant and useful for a contemporary understanding of legal theory Reconstructing American Law Bruce A. Ackerman,1984 **A Theology of Reconstruction** Charles Villa-Vicencio,1992-08-20 Behold a new thing Adam Smith and the Philosophy of Law and Economics R.P. Malloy,J. Evensky,2012-12-06 Adam Smith and the Philosophy of Law and Economics is a unique book Malloy and Evensky bring together a team of international and interdisciplinary scholars to address the work of Adam Smith as it relates to law and economics In addition to their own contributions the book includes works by Dr John W Cairns of the University of Edinburgh Dr J Ralph Lindgren of Lehigh University Professor Kenneth A B Mackinnon of the University of Waikato and the Honorable Richard A Posner of the United States Circuit Court of Appeals Together these authors bring expertise from the areas of law philosophy history economics and law and economics to a new study of Adam Smith and his work Part One of the book presents new and important observations on Smith s views on community ethics the court system criminal law and delictual or tort law liability In this part of the book Smith s work is also examined from the perspective of his use as persuasive authority in the works of modern legal economists In Part Two the living Smith is explored by way of a debate between two major contributors in the field of law and economics The debate and its analysis create a unique and contemporary opportunity to study Smith as a foundational source in the midst of a current academic and social policy dispute The understanding of Adam Smith that emerges from this book is new and complex It will challenge the one dimensional portrayals of Smith as a promoter of self interest and it will correct many of the misinterpretations of Smith that are currently fashionable in the worlds of law and economics and the philosophy of law

**Reconstruction in the United States** David Lincove,2000-01-30 The only comprehensive bibliography on Reconstruction this book provides the definitive guide to literature published from 1877 to 1998 In over 2 900 entries the work covers a broad range of topics including politics agriculture labor religion education race relations law family gender studies and local history It encompasses the years of the Civil War through the conclusion of the 1876 election and the end of the federal government s official role in reforming the postwar South and protecting the rights of Black citizens In detailed annotations the book covers a range of literature from scholarly and popular studies to published memoirs letters and documents as well as reference sources and teaching tools The issues of Reconstruction civil rights states rights and federal state relations racism nationalism government aid to individuals continue to be relevant today and the literature on Reconstruction is large This book provides a systematic and comprehensive bibliographic guide to that literature It is organized by topics and geographical regions and states thereby emphasizing the local diversity in the South In addition to a variety of literature it covers the relevant Supreme Court cases through 1883 provides full citations to federal acts and cases

cited and includes the texts of the 13th 14th and 15th Amendments to the Constitution The book will be useful to scholars and students researching a wide range of topics in Southern history constitutional history and national politics in post Civil War United States

**A Companion to the Reconstruction Presidents, 1865 - 1881** Edward O. Frantz, 2014-03-24 A Companion to Reconstruction Presidents presents a series of original essays that explore a variety of important issues themes and debates associated with the presidencies of Andrew Johnson Ulysses S Grant and Rutherford B Hayes Represents the first comprehensive look at the presidencies of Johnson Grant and Hayes in one volume Features contributions from top historians and presidential scholars Approaches the study of these presidents from a historiographical perspective Key topics include each president s political career foreign policy domestic policy military history and social context of their terms in office

**American Problems of Reconstruction** Elisha M. Friedman, 1918

**The Constitution Besieged** Howard Gillman, 1993 The Constitution Besieged offers a compelling reinterpretation of one of the most notorious periods in American constitutional history In the decades following the Civil War federal and state judges struck down as unconstitutional a great deal of innovative social and economic legislation Scholars have traditionally viewed this as the work of a conservative judiciary more interested in promoting laissez faire economics than in interpreting the Constitution Howard Gillman challenges this scholarly orthodoxy by showing how these judges were in fact observing a long standing constitutional prohibition against class legislation By reviewing unfamiliar state cases and legal commentary and by providing fresh interpretations of familiar Supreme Court cases Gillman uncovers a fascinating and long forgotten legal tradition In this richly textured historical narrative we see how American judges once worked to insure that legislative power be used only to promote the public good and not to benefit certain classes or burden their market competitors Beyond shedding new light on this jurisprudence Gillman also links it to larger debates in the political system debates traced to concerns about factional politics expressed by the country s founders and to the Jacksonian assault on special privileges This tradition came under siege with the intensification of class conflict at the turn of the century and Gillman carefully documents its demise He details how industrialization undermined assumptions about the fairness of capitalist social relations and how this led increasing numbers of people to question the requirement that the state remain neutral in matters of class conflict thus leaving it to a stalwart judiciary to protect a Constitution besieged A major contribution to an understanding of this important period in the history of the Supreme Court Gillman s work stands as a landmark in revisionist accounts of the Lochner era Gillman s study represents the kind of paradigm shift that will undoubtedly affect a wide range of scholarly activity for some time to come The broad scope of this work makes it essential reading for those interested in American political thought the development of the American state the relationship between law and social change and contemporary debates about the original intent of the framers of the Constitution and the proper role of the judiciary in American politics

Recasting America Lary May, 1989 The freshness of the authors approaches is salutary The

collection is stimulating and valuable Joan Shelley Rubin *Journal of American History* *The Reconstruction of Southern Debtors* Elizabeth Lee Thompson, 2004 Based on a careful empirical study of nearly four thousand cases filed in three southern federal districts this book focuses on how the Bankruptcy Act of 1867 helped shape the course and outcome of Reconstruction Although passed by a Republican dominated Congress that was commonly viewed as punitive toward the post Civil War South the Bankruptcy Act was a great benefit to southerners In this first study of the operation of the 1867 Act Elizabeth Lee Thompson challenges previous works which maintain that nineteenth century southerners uniformly opposed federal bankruptcy laws as threatening extensions of federal power To the contrary Thompson finds that southerners faced with the war's devastation were more likely to file for bankruptcy than debtors in other parts of the country The Act thus was the major piece of federal economic legislation that benefited southerners during Reconstruction Thompson determines that because the vast majority of the Bankruptcy Act's southern beneficiaries were propertied white men the legislation served to stabilize and entrench the postwar economic and thus social and political power of the sector that included those who were recently leading secessionists and Confederates Their participation in a federal process through federal tribunals during an era of intense white southern opposition to policies emanating from Washington reveals the complex interaction of states rights ideology and self interest However Thompson shows white southerners ultimately sacrificed neither in relation to the Bankruptcy Act After thousands had received economic relief through the statute and the number of filings had slowed to a trickle southern congressmen supported the Act's repeal in 1878

**American Orations: VII. Civil war and reconstruction. VIII. Free trade and protection. IX. Finance and civil service reform** Alexander Johnston, James Albert Woodburn, 1904 **The Reconstruction Justice of Salmon P. Chase** Harold Melvin Hyman, 1997 The demise of the Confederacy left a legacy of legal arrangements that raised fundamental and vexing questions regarding the legal rights and status of former slaves and the status of former Confederate states As Harold Hyman shows few individuals had greater impact on resolving these difficult questions than Salmon P Chase chief justice of the United States Supreme Court from 1865 to 1873 Hyman argues that in two cases *In Re Turner* 1867 and *Texas v White* 1869 Chase combined his abolitionist philosophy with an activist jurisprudence to help dismantle once and for all the deposed machineries of slavery and the Confederacy In these cases Chase sought to consolidate the gains of the Civil War era while demonstrating that the war had both preserved the precious core characteristics of the federal union of states and fundamentally improved the nature of both private and public law *In Re Turner* was a private law case decided at the federal circuit level It involved a black woman's claim that she a recent slave was being held in involuntary servitude Elizabeth Turner's mother had apprenticed Elizabeth to their former master who had not abided by his contractual obligations to provide Elizabeth with training and compensation substantively keeping her in slavery Chase's decision which relied upon due process and equal protection implications in the thirteenth amendment and 1866 Civil Rights Act confirmed the rights of emancipated slaves to bargain and contract with

employers on a parity with white workers Texas v White was a public law case decided in the Supreme Court It revolved around the issue of whether the holders of U S bonds seized and sold by the Confederate state of Texas could demand payment after the war from that state s newly reconstructed government In effect Chase and his associate justices were asked to determine the legality of actions committed by all former Confederate states and thus to define what constituted a state Chase s opinion reaffirmed the Union s permanence and that of the constituent states in the federal union and the states duty to respect the legal rights and obligations of all citizens because states were people as well as acreages and institutions Hyman s exemplary analysis of these cases reveals how their political legal and constitutional aspects were so inextricably interwoven They secured for Chase a rostrum for both moral and legal reform from which he asserted his strong views on the fundamental rights of individuals and states in an era of sporadically increasing federal power Hyman s study provides a much needed reevaluation of those cases both in the context of Chase s life and in terms of their mark on history

**Reconstruction** James Davenport Whelpley,1925 *The Slaveholding Indians: The American Indian under reconstruction* Annie Heloise Abel,1925 **The Reconstruction of the American Church** Walter Milton Haushalter,1919

**Reconstructing the Household** Peter Winthrop Bardaglio,1995 Based on literary and legal sources this study reveals how legal contests involving women children African Americans and the poor of the 19th century South led to a rethinking of families sexuality and the social order *The Reconstruction of Georgia* Edwin Campbell Woolley,1901 [The American Indian Under Reconstruction](#) Annie Heloise Abel,1925 **History Of Reconstruction In Louisiana** John Rose Ficklen,Pierce Butler,1911 History of Reconstruction in Louisiana Through 1868 is a historical book written by John Rose Ficklen and published in 1911 The book provides a detailed account of the reconstruction period in Louisiana which lasted from 1865 to 1877 The author focuses on the years up to 1868 which saw significant political and social changes in the state after the Civil War The book covers various topics such as the establishment of military rule in Louisiana the formation of the state constitution the role of African Americans in politics and society and the conflicts between different political factions Ficklen also examines the impact of Reconstruction on the economy education and law enforcement in Louisiana The author draws on a range of primary sources including government documents newspapers and personal accounts to provide a comprehensive overview of the period He also includes numerous maps and illustrations to help readers understand the geography and events of the time Overall History of Reconstruction in Louisiana Through 1868 is a valuable resource for anyone interested in the history of Louisiana the Reconstruction era or American politics and society in the 19th century Also Includes The Trade Union Label By Ernest R Spedden The Doctrine Of The State In The United States By Karl Singewald David Ricardo A Centenary Estimate By Jacob H Hollander This scarce antiquarian book is a facsimile reprint of the old original and may contain some imperfections such as library marks and notations Because we believe this work is culturally important we have made it available as part of our commitment for protecting preserving and promoting the world s

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