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Freedom Bound - WARREN PLEECE
2018-07-26

Freedom Bound explores Scotland's
uncomfortable connections with the history of

slavery. We follow the interconnected stories of three enslaved people seeking freedom in Scotland in the decades before the legal case which decided that Scots Law could not tolerate slavery. *Freedom Bound* is the first book of its kind and we anticipate it becoming an invaluable teaching resource, encompassing art, literature, history and politics, as well as a gripping historical novel for popular release. The book aims to make this difficult subject matter accessible for young readers.

Conceiving Freedom - Camillia Cowling 2013
Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro

Making Freedom - R. J. M. Blackett 2013-09-30
The 1850 Fugitive Slave Law, which mandated action to aid in the recovery of runaway slaves and denied fugitives legal rights if they were apprehended, quickly became a focal point in the debate over the future of slavery and the nature of the union. In *Making Freedom*, R. J. M.

Blackett uses the experiences of escaped slaves and those who aided them to explore the inner workings of the Underground Railroad and the enforcement of the Fugitive Slave Law, while shedding light on the political effects of slave escape in southern states, border states, and the North. Blackett highlights the lives of those who escaped, the impact of the fugitive slave cases, and the extent to which slaves planning to escape were aided by free blacks, fellow slaves, and outsiders who went south to entice them to escape. Using these stories of particular individuals, moments, and communities, Blackett shows how slave flight shaped national politics as the South witnessed slavery beginning to collapse and the North experienced a threat to its freedom.

Civil Rights in the Shadow of Slavery - George Rutherglen 2013-01-17

The author begins with the birth of civil rights - the circumstances, acts and legacy of the 39th Congress, constitutional origins, passage and

structure of the Act, moves through the Fourteenth Amendment and into restrictive interpretations and quiescent years, and finishes with a chapter on discerning the future from the past and the contemporary significance of the Act.

Becoming Free, Becoming Black - Alejandro de la Fuente 2020-01-16

Shows that the law of freedom, not slavery, determined the way that race developed over time in three slave societies.

Virginia 1619 - Paul Musselwhite 2019-04-23
Virginia 1619 provides an opportunity to reflect on the origins of English colonialism around the Chesapeake Bay and the Atlantic world. As the essays here demonstrate, Anglo-Americans have been simultaneously experimenting with representative government and struggling with the corrosive legacy of racial thinking for more than four centuries. Virginia, contrary to popular stereotypes, was not the product of thoughtless, greedy, or impatient English colonists. Instead,

the emergence of stable English Atlantic colonies reflected the deliberate efforts of an array of actors to establish new societies based on their ideas about commonwealth, commerce, and colonialism. Looking back from 2019, we can understand that what happened on the shores of the Chesapeake four hundred years ago was no accident. Slavery and freedom were born together as migrants and English officials figured out how to make this colony succeed. They did so in the face of rival ventures and while struggling to survive in a dangerous environment. Three hallmarks of English America--self-government, slavery, and native dispossession--took shape as everyone contested the future of empire along the James River in 1619. The contributors are Nicholas Canny, Misha Ewen, Andrew Fitzmaurice, Jack P. Greene, Paul D. Halliday, Alexander B. Haskell, James Horn, Michael J. Jarvis, Peter C. Mancall, Philip D. Morgan, Melissa N. Morris, Paul Musselwhite, James D. Rice, and Lauren

Working.

Mastering the Law - Ricardo Raúl Salazar Rey
2020-11-17

Explores the legal relationships of enslaved people and their descendants during the sixteenth and seventeenth centuries in Spanish America. Atlantic slavery can be overwhelming in its immensity and brutality, as it involved more than 15 million souls forcibly displaced by European imperialism and consumed in building the global economy. *Mastering the Law: Slavery and Freedom in the Legal Ecology of the Spanish Empire* lays out the deep history of Iberian slavery, explores its role in the Spanish Indies, and shows how Africans and their descendants used and shaped the legal system as they established their place in Iberoamerican society during the seventeenth century. Ricardo Raúl Salazar Rey places the institution of slavery and the people involved with it at the center of the creation story of Latin America. Iberoamerican customs and laws and the institutions that

enforced them provided a common language and a forum to resolve disputes for Spanish subjects, including enslaved and freedpeople. The rules through which Iberian conquerors, settlers, and administrators incorporated Africans into the expanding Empire were developed out of the need of a distant crown to find an enforceable consensus. Africans and their mestizo descendants, in turn, used and therefore molded Spanish institutions to serve their interests. Salazar Rey mined extensively the archives of secular and religious courts, which are full of complex disputes, unexpected subversions, and tactical alliances among enslaved people, freedpeople, and the crown. The narrative unfolds around vignettes that show Afroiberians building their lives while facing exploitation and inequality enforced through violence. Salazar Rey deals mostly with cases originating from Cartagena de Indias, a major Atlantic port city that supported the conquest and rule of the Indies. His work

recovers the voices and indomitable ingenuity that enslaved people and their descendants displayed when engaging with the Spanish legal ecology. The social relationships animating the case studies represent the broader African experience in the Americas during the sixteenth and seventeenth centuries.

Madeleine's Children - Sue Peabody 2017

In 1759 a baby girl was born to an impoverished family on the Indian subcontinent. Her parents pawned her into bondage as a way to survive famine. A Portuguese slaver sold the girl to a pious French spinster in Bengal, where she was baptized as Madeleine. Eventually she was taken to France by way of Ile de France (Mauritius), and from there to Ile Bourbon (Reunion), where she worked on the plantation of the Routier family and gave birth to three children: Maurice, Constance, and Furcy. Following the master's death in 1787, Madame Routier registered Madeleine's manumission, making her free on paper and thus exempting the Routiers from

paying the annual head tax on slaves. However, according to Madeleine's children, she was never told that she was free. She continued to serve the widow Routier for another nineteen years, through the Revolution, France's general emancipation of 1794 (which the colonists of the Indian Ocean successfully repelled), the Napoleonic restoration of slavery, and British occupation of France's Indian Ocean colonies. Not until the widow Routier died in 1808 did Madeleine learn of her freedom and that the Routier estate owed her nineteen years of back wages. Madeleine tried to use the Routiers' debt to negotiate for her son Furcy's freedom from Joseph Lory, the Routiers' son-in-law and heir, but Lory tricked the illiterate Madeleine into signing papers that, in essence, consigned Furcy to Lory as his slave for life. While Lory invested in slave smuggling and helped introduce sugar cultivation to Ile Bourbon, Furcy spent the next quarter century trying to obtain legal recognition of his free status as he moved from

French Ile Bourbon to British Mauritius and then to Paris. His legal actions produced hundreds of pages that permit reconstruction of the lives of Furcy and his family in astonishing detail. The Cour Royale de Paris, France's highest court of appeal, finally ruled Furcy ne libre (freeborn) in 1843. Eight rare extant letters signed by Furcy over two decades tell in his own words how he understood his enslavement and freedom within these multiple legal jurisdictions and societies. France's general emancipation of 1848 erased the distinction between slavery and freedom for all former slaves but the reaction of 1851 excluded them from citizenship. The struggle for justice, respect, and equality for former slaves and their descendants would not be realized within Furcy's lifetime. The life stories of Madeleine and her three children are especially precious because, unlike scores of slave narratives published in the United States and England in the eighteenth and nineteenth centuries, no autobiographical narrative of a

slave held by French-published or unpublished exists. This will be one of only a handful of modern biographies of enslaved people within France's empire, in French or in English, and the only one to explore transformations in slavery and freedom in French colonies of the Indian Ocean. This story is also significant because of the legal arguments advanced in Furcy's freedom suits between 1817 and 1843. Furcy's lawyers argued that he was free by race (as the descendent of an Indian rather than an African mother) and also by Free Soil (the legal principle whereby any slave setting foot on French soil thereby became free, since Madeleine resided in France before Furcy was born). Parallel debates surround the American case of Dred Scott, who began his long and unsuccessful bid for freedom in 1846 in the former French colonial city of St. Louis, Missouri, just three years after the French Cour Royale de Paris upheld Furcy's freedom on the basis of Free Soil. However, the French ruling

that Furcy was free by Free Soil and the rejection of the racial argument offer a historical counterpoint to the infamous Taney opinion of 1857. The gripping story of Madeleine and her children is especially well-suited to exploring the developments of French colonization, plantation slavery, race, sugar cultivation, and abolitionism. A fluid narrative, it should have appeal for readers of the history of slavery, world history, Indian Ocean history, and French colonial history.

Self-taught - Heather Andrea Williams
2009-06-03

'With great skill, Heather Williams demonstrates the centrality of black people to the process of formal education the establishment of schools, the creation of a cadre of teachers, the forging of standards of literacy and numeracy in the post-emancipation years. As she does, Williams makes the case that the issue of education informed the Reconstruction period the two-cornered struggle between North and South

over the rebuilding of Southern society, the three-cornered struggle between white Northerners, white Southerners, and black people over the nature of education, and the less well known contest between black Northerners and black Southerners over the direction of African American culture. *Self-Taught* is a work of major significance." IRA BERLIN University of Maryland "Self-Taught is not merely the most comprehensive documentation and analysis of African American education in the South during the 1861-1871 period, it is in every respect the first definitive study of the formative stages of universal literacy and formal education among ex-slaves. Never before has anyone described so fully the broad range of roles and the significant contributions of African Americans to the development of formal and public education in the South for themselves and for the entire region." JAMES D. ANDERSON University of Illinois at Urbana-Champaign
Slavery and Freedom in Texas - Jason A. Gillmer

2017

In these absorbing accounts of five court cases, Jason A. Gilmer offers intimate glimpses into Texas society in the time of slavery. Each story unfolds along boundaries--between men and women, slave and free, black and white, rich and poor, old and young--as rigid social orders are upset in ways that drive people into the courtroom. One case involves a settler in a rural county along the Colorado River, his thirty-year relationship with an enslaved woman, and the claims of their children as heirs. A case in East Texas arose after an owner refused to pay an overseer who had shot one of her slaves. Another case details how a free family of color carved out a life in the sparsely populated marshland of Southeast Texas, only to lose it all as waves of new settlers "civilized" the county. An enslaved woman in Galveston who was set free in her owner's will--and who got an uncommon level of support from her attorneys--is the subject of another case. In a Central Texas

community, as another case recounts, citizens forced a Choctaw native into court in an effort to gain freedom for his slave, a woman who easily "passed" as white. The cases considered here include *Gaines v. Thomas*, *Clark v. Honey*, *Brady v. Price*, and *Webster v. Heard*. All of them pitted communal attitudes and values against the exigencies of daily life in an often harsh place. Here are real people in their own words, as gathered from trial records, various legal documents, and many other sources. People of many colors, from diverse backgrounds, weave their way in and out of the narratives. We come to know what mattered most to them--and where those personal concerns stood before the law.

Fractional Freedoms - Michelle A. McKinley
2016-10-14

Fractional Freedoms examines paths to liberty forged in the slaveowning household, and legal claims brought by slaves in colonial Lima.

Modern Slavery - Julia O'Connell Davidson
2015-09-30

Providing a unique critical perspective to debates on slavery, this book brings the literature on transatlantic slavery into dialogue with research on informal sector labour, child labour, migration, debt, prisoners, and sex work in the contemporary world in order to challenge popular and policy discourse on modern slavery.

The Sovereignty of Law - T.R.S. Allan 2013-07-18

An original account of the British constitution, this book explains how the requirements of constitutional law depend on underlying considerations of legal and political theory and defends an account of the British constitution as a source of individual freedom, grounded in a persuasive interpretation of the common law constitutional tradition.

Liberty, Slavery and the Law in Early Modern Western Europe - Filip Batselé 2020-01-03

This book investigates the legal evolution of the “free soil principle” in England, France and the Low Countries during the Early Modern period (ca. 1500-1800), which essentially stated that,

as soon as slaves entered a certain country, they would immediately gain their freedom. This book synthesizes the existing literature on the origins and evolution of the principle, adds new insights by drawing on previously undiscussed primary sources on the development of free soil in the Low Countries and employs a pan-Western, European and comparative approach to identify and explain the differences and similarities in the application of this principle in France, England and the Low Countries. Divided into four sections, the book begins with a brief introduction to the subject matter, putting it in its historical context. Slavery is legally defined, using the established international law definition, and both the status of slavery in Europe before the Early Modern Period and the Atlantic slave trade are discussed. Secondly, the book assesses the legal origins of the free soil principle in England, France and the Low Countries during the period 1500-1650 and discusses the legal repercussions of slaves

coming to England, France and the Low Countries from other countries, where the institution was legally recognized. Thirdly, it addresses the further development of the free soil principle during the period 1650-1800. In the fourth and last section, the book uses the insights gained to provide a pan-Western, European and comparative perspective on the origins and application of the free soil principle in Western Europe. In this regard, it compares the origins of free soil for the respective countries discussed, as well as its application during the heyday of the Atlantic slave trade. This perspective makes it possible to explain some of the divergences in approaches between the countries examined and represents the first-ever full-scale country comparison on this subject in a book.

Slavery and Freedom in Texas - Jason A. Gillmer
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Texas society in the time of slavery. Each story unfolds along boundaries--between men and women, slave and free, black and white, rich and poor, old and young--as rigid social orders are upset in ways that drive people into the courtroom. One case involves a settler in a rural county along the Colorado River, his thirty-year relationship with an enslaved woman, and the claims of their children as heirs. A case in East Texas arose after an owner refused to pay an overseer who had shot one of her slaves. Another case details how a free family of color carved out a life in the sparsely populated marshland of Southeast Texas, only to lose it all as waves of new settlers "civilized" the county. An enslaved woman in Galveston who was set free in her owner's will--and who got an uncommon level of support from her attorneys--is the subject of another case. In a Central Texas community, as another case recounts, citizens forced a Choctaw native into court in an effort to gain freedom for his slave, a woman who easily

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Slavery, Freedom, and the Law in the Atlantic World - Sue Peabody 2007-03-20

During the era of revolution, independence, and emancipation in the north Atlantic, "slavery" and "freedom" were fluid and contested concepts. Individuals and groups turned to courts of law to define and enforce the status of indigenous Americans, forcibly imported Africans, and colonizing Europeans -- and their progeny. Legal institutions of the state manufactured and

mediated a new, dynamic concept of freedom, inventing categories of race and codifying white privilege. In this collection of documents from the French, British, Spanish, and Portuguese empires, Peabody and Grinberg introduce the voices of slaves, slave-holders, jurists, legislators, and others who struggled to critique, overturn, justify, or simply describe the social order in which they found themselves.

Discussion questions, illustrations, a glossary, and a bibliography allow students to analyze these rich documents and discern their lasting influences.

The Judicial Application of Human Rights Law - Nihal Jayawickrama 2002-12-12

10 The right to life

Slave Culture : Nationalist Theory and the Foundations of Black America - Sterling

Stuckey Professor of History Northwestern University 1987-04-23

How were blacks in American slavery formed, out of a multiplicity of African ethnic peoples,

into a single people? In this major study of Afro-American culture, Sterling Stuckey, a leading thinker on black nationalism for the past twenty years, explains how different African peoples interacted during the nineteenth century to achieve a common culture. He finds that, at the time of emancipation, slaves were still overwhelmingly African in culture, a conclusion with profound implications for theories of black liberation and for the future of race relations in America. By examining anthropological evidence about Central and West African cultural traditions--Bakongo, Ibo, Dahomean, Mendi and others--and exploring the folklore of the American slave, Stuckey has arrived at an important new cross-cultural analysis of the Pan-African impulse among slaves that contributed to the formation of a black ethos. He establishes, for example, the centrality of an ancient African ritual--the Ring Shout or Circle Dance--to the black American religious and artistic experience. Black nationalist theories, the author points out,

are those most in tune with the implication of an African presence in America during and since slavery. Casting a fresh new light on these ideas, Stuckey provides us with fascinating profiles of such nineteenth century figures as David Walker, Henry Highland Garnet, and Frederick Douglas. He then considers in detail the lives and careers of W. E. B. Dubois and Paul Robeson in this century, describing their ambition that blacks in American society, while struggling to end racism, take on roles that truly reflected their African heritage. These concepts of black liberation, Stuckey suggests, are far more relevant to the intrinsic values of black people than integrationist thought on race relations. But in a final revelation he concludes that, with the exception of Paul Robeson, the ironic tendency of black nationalists has been to underestimate the depths of African culture in black Americans and the sophistication of the slave community they arose from.

Unfreedom - Jared Hardesty 2016-04-26

Choice Outstanding Academic Title of 2016 Reveals the lived experience of slaves in eighteenth-century Boston Instead of relying on the traditional dichotomy of slavery and freedom, Hardesty argues we should understand slavery in Boston as part of a continuum of unfreedom. In this context, African slavery existed alongside many other forms of oppression, including Native American slavery, indentured servitude, apprenticeship, and pauper apprenticeship. In this hierarchical and inherently unfree world, enslaved Bostonians were more concerned with their everyday treatment and honor than with emancipation, as they pushed for autonomy, protected their families and communities, and demanded a place in society. Drawing on exhaustive research in colonial legal records - including wills, court documents, and minutes of governmental bodies - as well as newspapers, church records, and other contemporaneous sources, Hardesty masterfully reconstructs an eighteenth-century

Atlantic world of unfreedom that stretched from Europe to Africa to America. By reassessing the lives of enslaved Bostonians as part of a social order structured by ties of dependence, Hardesty not only demonstrates how African slaves were able to decode their new homeland and shape the terms of their enslavement, but also tells the story of how marginalized peoples engrained themselves in the very fabric of colonial American society.

The Abolition of Slavery in Brazil - David Baronov 2000

Linking the racially divided working class of modern Brazil to the period of abolition, Baronov argues that certain abolition strategies resulted in capital/labor relations that were characterized by new forms of extra-market coercion.

The American Law of Slavery, 1810-1860 - Mark Tushnet 2019-02-19

In an examination of Southern slave law between 1810 and 1860, Mark Tushnet reveals a structured dichotomy between slave labor

systems and bourgeois systems of production. Whereas the former rest on the total dominion of the master over the slave and necessitate a concern for the slave's humanity, the latter rest of the purchase by the capitalist of a worker's labor power only and are concerned primarily with economic interest. Focusing on a wide range of issues that include contract and accident law as well as criminal law and the law of manumission, he shows how Southern slave law had to respond to the competing pressures of humanity and interest. Beginning with a critical evaluation of slave law, the author develops the conceptual framework for his own perspective on the legal system, drawing on the works of Marx and Weber. He then examines four appellate court cases decided in three different states, from civil-law Louisiana to commonlaw North Carolina, at widely separated times, from 1818 to 1858. Professor Tushnet finds that the cases display a continuing but never wholly successful attempt at distinguish

between law and sentiment as modes of regulating social interactions involving slaves. Also, the cases show that the primary method of accommodating law and sentiment was an attempt to use rigid categories to confine the law of slavery to what was thought its proper sphere. Mark Tushnet is Professor of Law at the University of Wisconsin. Originally published in 1981. The Princeton Legacy Library uses the latest print-on-demand technology to again make available previously out-of-print books from the distinguished backlist of Princeton University Press. These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions. The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905.

The Captive's Quest for Freedom - R. J. M. Blackett 2018-01-25

Examines the impact fugitive slaves had on the Fugitive Slave Law and the coming of the American Civil War.

The Ragged Road to Abolition - James J. Gigantino II 2014-09-15

Contrary to popular perception, slavery persisted in the North well into the nineteenth century. This was especially the case in New Jersey, the last northern state to pass an abolition statute, in 1804. Because of the nature of the law, which freed children born to enslaved mothers only after they had served their mother's master for more than two decades, slavery continued in New Jersey through the Civil War. Passage of the Thirteenth Amendment in 1865 finally destroyed its last vestiges. The Ragged Road to Abolition chronicles the experiences of slaves and free blacks, as well as abolitionists and slaveholders, during slavery's slow northern death. Abolition in New Jersey during the American Revolution was a contested battle, in which constant economic devastation

and fears of freed blacks overrunning the state government limited their ability to gain freedom. New Jersey's gradual abolition law kept at least a quarter of the state's black population in some degree of bondage until the 1830s. The sustained presence of slavery limited African American community formation and forced Jersey blacks to structure their households around multiple gradations of freedom while allowing New Jersey slaveholders to participate in the interstate slave trade until the 1850s. Slavery's persistence dulled white understanding of the meaning of black freedom and helped whites to associate "black" with "slave," enabling the further marginalization of New Jersey's growing free black population. By demonstrating how deeply slavery influenced the political, economic, and social life of blacks and whites in New Jersey, this illuminating study shatters the perceived easy dichotomies between North and South or free states and slave states at the onset of the Civil War.

The Legal Understanding of Slavery - Jean Allain
2012-09-27

"Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised." So reads the legal definition of slavery agreed by the League of Nations in 1926. Further enshrined in law during international negotiations in 1956 and 1998, this definition has been interpreted in different ways by the international courts in the intervening years. What can be considered slavery? Should forced labour be considered slavery? Debt-bondage? Child soldiering? Or forced marriage? This book explores the limits of how slavery is understood in law. It shows how the definition of slavery in law and the contemporary understanding of slavery has continually evolved and continues to be contentious. It traces the evolution of concepts of slavery, from Roman law through the Middle Ages, the 18th and 19th centuries, up to the modern day manifestations, including

manifestations of forced labour and trafficking in persons, and considers how the 1926 definition can distinguish slavery from lesser servitudes. Together the contributors have put together a set of guidelines intended to clarify the law where slavery is concerned. The Bellagio-Harvard Guidelines on the Legal Parameters of Slavery, reproduced here for the first time, takes their shared understanding of both the past and present to project a consistent interpretation of the legal definition of slavery for the future.

The Roman Law of Slavery - William Warwick
Buckland 1908

Before Dred Scott - Anne Twitty 2016-10-31
An analysis of slave and slaveholder understanding and manipulation of formal legal systems in the region known as the American Confluence during the antebellum era.

A Question of Freedom - William G. Thomas
2020-11-24

The story of the longest and most complex legal

challenge to slavery in American history For over seventy years and five generations, the enslaved families of Prince George's County, Maryland, filed hundreds of suits for their freedom against a powerful circle of slaveholders, taking their cause all the way to the Supreme Court. Between 1787 and 1861, these lawsuits challenged the legitimacy of slavery in American law and put slavery on trial in the nation's capital. Piecing together evidence once dismissed in court and buried in the archives, William Thomas tells an intricate and intensely human story of the enslaved families (the Butlers, Queens, Mahoneys, and others), their lawyers (among them a young Francis Scott Key), and the slaveholders who fought to defend slavery, beginning with the Jesuit priests who held some of the largest plantations in the nation and founded a college at Georgetown. A Question of Freedom asks us to reckon with the moral problem of slavery and its legacies in the present day.

The Dred Scott Case - Roger Brooke Taney 2018-02-09

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generally available to the public. We appreciate your support of the preservation process, and thank you for being an important part of keeping this knowledge alive and relevant.

Freedom's Captives - Yesenia Barragan
2021-07

Freedom's Captives offers a compelling, narrative-driven history of the gradual abolition of slavery in the majority-black Colombian Pacific.

[The Story of Archer Alexander from Slavery to Freedom, March 30, 1863](#) - William Greenleaf Eliot 1885

The Captive's Quest for Freedom - R. J. M. Blckett 2018-01-25

This magisterial study, ten years in the making by one of the field's most distinguished historians, will be the first to explore the impact fugitive slaves had on the politics of the critical decade leading up to the Civil War. Through the close reading of diverse sources ranging from

government documents to personal accounts, Richard J. M. Blckett traces the decisions of slaves to escape, the actions of those who assisted them, the many ways black communities responded to the capture of fugitive slaves, and how local laws either buttressed or undermined enforcement of the federal law. Every effort to enforce the law in northern communities produced levels of subversion that generated national debate so much so that, on the eve of secession, many in the South, looking back on the decade, could argue that the law had been effectively subverted by those individuals and states who assisted fleeing slaves.

[Slavery, Freedom, and the Law in the Atlantic World](#) - Sue Peabody 2007-03-20

During the era of revolution, independence, and emancipation in the north Atlantic, "slavery" and "freedom" were fluid and contested concepts. Individuals and groups turned to courts of law to define and enforce the status of indigenous Americans, forcibly imported Africans, and

colonizing Europeans -- and their progeny. Legal institutions of the state manufactured and mediated a new, dynamic concept of freedom, inventing categories of race and codifying white privilege. In this collection of documents from the French, British, Spanish, and Portuguese empires, Peabody and Grinberg introduce the voices of slaves, slave-holders, jurists, legislators, and others who struggled to critique, overturn, justify, or simply describe the social order in which they found themselves.

Discussion questions, illustrations, a glossary, and a bibliography allow students to analyze these rich documents and discern their lasting influences.

Neither Fugitive Nor Free - Edlie L. Wong
2009-07

Studies lawsuits to gain freedom for slaves on the grounds of their having traveled to free territory, starting with *Somerset v. Stewart* (England, 1772), *Commonwealth v. Aves* (Massachusetts, 1836), *Dred Scott v. Sanford*,

and cases brought questioning the legitimacy of Negro Seamen Acts in the antebellum coastal South. These lawsuits and accounts of them are compared to fugitive slave narratives to shed light on both. The differing impact of freedom obtained from such suits for men and women (women could claim that their children were free, once they were judged free) is examined.

Freedom Bound - Christopher Tomlins
2010-08-31

Freedom Bound is about the origins of modern America - a history of colonizing, work and civic identity from the beginnings of English presence on the mainland until the Civil War. It is a history of migrants and migrations, of colonizers and colonized, of households and servitude and slavery, and of the freedom all craved and some found. Above all it is a history of the law that framed the entire process. *Freedom Bound* tells how colonies were planted in occupied territories, how they were populated with migrants - free and unfree - to do the work of

colonizing and how the newcomers secured possession. It tells of the new civic lives that seemed possible in new commonwealths and of the constraints that kept many from enjoying them. It follows the story long past the end of the eighteenth century until the American Civil War, when - just for a moment - it seemed that freedom might finally be unbound.

The Slave Trade, Abolition and the Long History of International Criminal Law - Emily Haslam 2019-10-11

Modern international criminal law typically traces its origins to the twentieth-century Nuremberg and Tokyo trials, excluding the slave trade and abolition. Yet, as this book shows, the slave trade and abolition resound in international criminal law in multiple ways. Its central focus lies in a close examination of the often-controversial litigation, in the first part of the nineteenth century, arising from British efforts to capture slave ships, much of it before Mixed Commissions. With archival-based

research into this litigation, it explores the legal construction of so-called 'recaptives' (slaves found on board captured slave ships). The book argues that, notwithstanding its promise of freedom, the law actually constructed recaptives restrictively. In particular, it focused on questions of intervention rather than recaptives' rights. At the same time it shows how a critical reading of the archive reveals that recaptives contributed to litigation in important, but hitherto largely unrecognized, ways. The book is, however, not simply a contribution to the history of international law. Efforts to deliver justice through international criminal law continue to face considerable challenges and raise testing questions about the construction - and alternative construction - of victims. By inscribing the recaptive in international criminal legal history, the book offers an original contribution to these contentious issues and a reflection on critical international criminal legal history writing and its accompanying

methodological and political choices.

University, Court, and Slave - Alfred L. Brophy
2016-07-18

University, Court, and Slave reveals long-forgotten connections between pre-Civil War southern universities and slavery. Universities and their faculty owned people-sometimes dozens of people-and profited from their labor while many slaves endured physical abuse on campuses. As Alfred L. Brophy shows, southern universities fought the emancipation movement for economic reasons, but used their writings on history, philosophy, and law in an attempt to justify their position and promote their institutions. Indeed, as the antislavery movement gained momentum, southern academics and their allies in the courts became bolder in their claims. Some went so far as to say that slavery was supported by natural law. The combination of economic reasoning and historical precedent helped shape a southern, pro-slavery jurisprudence. Following Lincoln's

November 1860 election, southern academics joined politicians, judges, lawyers, and other leaders in arguing that their economy and society was threatened. Southern jurisprudence led them to believe that any threats to slavery and property justified secession. Bolstered by the courts, academics took their case to the southern public-and ultimately to the battlefield-to defend slavery. A path-breaking and deeply researched history of southern universities' investment in and defense of slavery, University, Court, and Slave will fundamentally transform our understanding of the institutional foundations pro-slavery thought.

The Freedom of Speech - Miles Ogborn
2019-10-14

The institution of slavery has always depended on enforcing the boundaries between slaveholders and the enslaved. As historical geographer Miles Ogborn reveals in *The Freedom of Speech*, across the Anglo-Caribbean world the fundamental distinction between

freedom and bondage relied upon the violent policing of the spoken word. Offering a compelling new lens on transatlantic slavery, this book gathers rich historical data from Barbados, Jamaica, and Britain to delve into the complex relationships between voice, slavery, and empire. From the most quotidian encounters to formal rules of what counted as evidence in court, the battleground of slavery lay in who could speak and under what conditions. But, as Ogborn shows through keen attention to both the traces of talk and the silences in the archives, if enslavement as a legal status could be made by words, it could be unmade by them as well. A deft interrogation of the duality of domination, *The Freedom of Speech* offers a rich interpretation of oral cultures that both supported and constantly threatened to undermine the slave system.

In the Shadow of Dred Scott - Kelly M.

Kennington 2017-04-15

The Dred Scott suit for freedom, argues Kelly M.

Kennington, was merely the most famous example of a phenomenon that was more widespread in antebellum American jurisprudence than is generally recognized. The author draws on the case files of more than three hundred enslaved individuals who, like Dred Scott and his family, sued for freedom in the local legal arena of St. Louis. Her findings open new perspectives on the legal culture of slavery and the negotiated processes involved in freedom suits. As a gateway to the American West, a major port on both the Mississippi and Missouri Rivers, and a focal point in the rancorous national debate over slavery's expansion, St. Louis was an ideal place for enslaved individuals to challenge the legal systems and, by extension, the social systems that held them in forced servitude. Kennington offers an in-depth look at how daily interactions, webs of relationships, and arguments presented in court shaped and reshaped legal debates and public attitudes over slavery and freedom in St.

Louis. Kennington also surveys more than eight hundred state supreme court freedom suits from around the United States to situate the St. Louis example in a broader context. Although white enslavers dominated the antebellum legal system in St. Louis and throughout the slaveholding states, that fact did not mean that the system ignored the concerns of the subordinated groups who made up the bulk of the American population. By looking at a particular example of one group's encounters with the law—and placing these suits into conversation with similar encounters that arose in appellate cases nationwide—Kennington sheds light on the ways in which the law responded to the demands of a variety of actors.

Roadblocks to Freedom - Andrew Fede
2012-01-20

This new book by Andrew Fede considers the law of freedom suits and manumission from the point-of-view of legal procedure, evidence rules, damage awards, and trial practice in addition to

the abstract principles stated in the appellate decisions. The author shows that procedural and evidentiary roadblocks made it increasingly impossible for many slaves, or free blacks who were wrongfully held as slaves, to litigate their freedom. Even some of the most celebrated cases in which the courts freed slaves must be read as tempered by the legal realities the actors faced or the courts actually recognized in the process. Slave owners in almost all slave societies had the right to manumit or free all or some of their slaves. Slavery law also permitted people to win their freedom if they were held as slaves contrary to law. In this book, Fede provides a comprehensive view of how some enslaved litigants won their freedom in the court and how many others, like Dred and Harriet Scott, did not because of the substantive and procedural barriers that both judges and legislators placed in the way of people held in slavery who sought their freedom in court. From the 17th century to the Civil War, Southern

governments built roadblock after roadblock to the freedom sought by deserving enslaved people, even if this restricted the masters' rights to free their slaves or defied settled law. They increasingly prohibited all manumissions and added layers of procedure to those seeking freedom while eventually providing a streamlined process by which free blacks "voluntarily" enslaved themselves and their children. Drawing on his three decades of legal experience to take seriously the trial process and rules under which slave freedom cases were decided, Fede considers how slave owners, slaves, and lawyers caused legal change from the bottom up.

Final Freedom - Michael Vorenberg 2001-05-21

This book examines emancipation after the Emancipation Proclamation of 1863. Focusing on the making and meaning of the Thirteenth Amendment, *Final Freedom* looks at the struggle

among legal thinkers, politicians, and ordinary Americans in the North and the border states to find a way to abolish slavery that would overcome the inadequacies of the Emancipation Proclamation. The book tells the dramatic story of the creation of a constitutional amendment and reveals an unprecedented transformation in American race relations, politics, and constitutional thought. Using a wide array of archival and published sources, Professor Vorenberg argues that the crucial consideration of emancipation occurred after, not before, the Emancipation Proclamation; that the debate over final freedom was shaped by a level of volatility in party politics underestimated by prior historians; and that the abolition of slavery by constitutional amendment represented a novel method of reform that transformed attitudes toward the Constitution.