

EQUAL JUSTICE UNDER LAW

The Shifting Wind

The Supreme Court
and Civil Rights
from Reconstruction
to *Brown*

JOHN R. HOWARD

Shifting Wind The Supreme Court Civi

Evelyn Brooks Higginbotham



Shifting Wind The Supreme Court Civi:

The Shifting Wind John R. Howard,1999-01-01 Examines the significant role played by the U S Supreme Court in shaping race relations and affecting civil rights in the period between the end of the Civil War and the 1954 Brown decision

The Colfax Massacre LeeAnna Keith,2009 Drawing on a large body of documents including eyewitness accounts and evidence from the site itself Keith explores the racial tensions that led to the Colfax massacre during which surrendering blacks were mercilessly slaughtered and the reverberations this message of terror sent throughout the South *Children of Fire* Thomas C. Holt,2011-09-27 Simply brilliant The first survey of African American history to rival John Hope Franklin and Evelyn Brooks Higginbotham s From Slavery to Freedom Henry Louis Gates Jr Ordinary people don t experience history as it is taught by historians The same people who lived through the Civil War and the eradication of slavery also dealt with the hardships of Reconstruction so why do we almost always treat them separately In Children of Fire renowned historian Thomas C Holt challenges this form to tell the story of generations of African Americans through the lived experience of the subjects themselves with all of the nuances ironies contradictions and complexities one might expect Holt captures the entire African American experience from the moment the first twenty African slaves were sold at Jamestown in 1619 Each chapter focuses on a generation of individuals who shaped the course of American history hoping for a better life for their children but often confronting the ebb and flow of their civil rights and status within society Many familiar faces grace these pages Frederick Douglass W E B DuBois Martin Luther King and Barack Obama but also some overlooked ones Figures like Anthony Johnson a slave who bought his freedom in late seventeenth century Virginia and built a sizable plantation only to have it stolen away from his children by an increasingly racist court system Or Frank Moore a WWI veteran and sharecropper who sued his landlord for unfair practices but found himself charged with murder after fighting off an angry white posse Taken together their stories tell how African Americans fashioned a culture and identity amid the turmoil of four centuries of American history Provocative readable passionate Publishers Weekly *The Harvard Guide to African-American History* Evelyn Brooks Higginbotham,2001 This massive guide sponsored by the W E B Du Bois Institute for Afro American Research at Harvard University and compiled by renowned experts offers a compendium of information and interpretation on over 500 years of black experience in America **The Great Justices, 1941-54** William Domnarski,2009-01-23 The Great Justices offers a revealing glimpse of a judicial universe in which titanic egos often clash and comes as close as any book ever has to getting inside the minds of Supreme Court jurists This is rare and little examined territory in the public consciousness the Supreme Court is usually seen as an establishment whose main actors the justices remain above emotion vitriol and gossip the better to interpret our nation of laws Yet the Court s work is always an interchange of ideas and individuals and the men and women who make up the Court despite or because of their best intentions are as human as the rest of us Appreciating that human dimension helps us to discover some of the Court s secrets and a new way to understand the Court

and its role Comparing four brilliant but very different jurists of the Roosevelt Court Hugo Black William O Douglas Felix Frankfurter and Robert Jackson William Domnarski paints a startling picture of the often deeply ambiguous relationship between ideas and reality between the law and the justices who interpret and create it By pulling aside the veil of decorous tradition Domnarski brings to light the personalities that shaped one of the greatest Courts of our time one whose decisions continue to affect judicial thinking today William Domnarski is the author of *In the Opinion of the Court* 1996 a study of the history and nature of federal court judicial opinions He holds a J D from the University of Connecticut and a Ph D in English from the University of California Domnarski currently practices law in California where he is also working on a forthcoming biography of legendary Hollywood lawyer Bert Fields

Brown V. Board of Education James T. Patterson, William W. Freehling, 2001-03 Appendix II contains tables and statistics on segregation and race and education

A Rift in the Clouds Brent J. Aucoin, 2007-08-01 *A Rift in the Clouds* chronicles the efforts of three white southern federal judges to protect the civil rights of African Americans at the beginning of the twentieth century when few in the American legal community were willing to do so Jacob Treiber of Arkansas Emory Speer of Georgia and Thomas Goode Jones of Alabama challenged the Supreme Court's reading of the Reconstruction amendments that were passed in an attempt to make disfranchised and exploited African Americans equal citizens of the United States These unpopular white southerners two of whom who had served in the Confederate Army and had themselves helped to bring Reconstruction to an end in their states asserted that the amendments not only established black equality but authorized the government to protect blacks Although their rulings won few immediate gains for blacks and were overturned by the Supreme Court their legal arguments would be resurrected and meet with greater success over half a century later during the civil rights movement

A Free Man of Color and His Hotel Carol Gelderman, 2012-02-01 *A Free Man of Color and His Hotel* weaves the story of a uniquely successful black businessman into the burgeoning post Civil War political struggle that pitted the federal government against the states desire to remain autonomous Born in Washington D C James Wormley worked as a hacker in his father's livery stable there and as a steward on Mississippi River steamboats before establishing his own catering and boardinghouse businesses During a period of limited opportunity for African Americans he built and operated D C's luxurious Wormley Hotel at a time when most financial and governmental business was conducted in hotels Not only did a number of notable diplomats and politicians live at the hotel but because of its location in the city's commercial and political center Wormley also hosted Washington's movers and shakers Wormley's rise however occurred as three landmark decisions by the Supreme Court effectively dismantled Reconstruction and led to the *Plessy v Ferguson* decision that legalized segregation This cautionary tale illustrates how key Supreme Court decisions hindered other African Americans potential successes after Reconstruction By examining the issue of states rights in terms of one man's against the odds success Carol Gelderman shows how these same issues are still relevant in a postsegregation United States

The Racial Glass Ceiling Roy Lavon Brooks, 2017-01-01 Cover

Half Title Title Copyright Dedication Contents Preface Acknowledgments INTRODUCTION A New Understanding of Racial Subordination ONE The Spirit of Brown TWO Juridical Subordination THREE Race and Culture FOUR Cultural Subordination Through Cultural Diversity EPILOGUE Unrelenting Racial Progress Appendix A Diagram of Main Arguments Appendix B Post Civil Rights Cases That Impede Racial Progress Notes Bibliography Index A B C D E F G H I J K L M N O P R S T U V W Y Z

Lloyd Gaines and the Fight to End Segregation James W. Endersby, William T. Horner, 2016-12-31 Winner 2017 Missouri Conference on History Book Award In 1936 Lloyd Gaines's application to the University of Missouri law school was denied based on his race Gaines and the NAACP challenged the university's decision *Missouri ex rel Gaines v Canada* 1938 was the first in a long line of decisions by the U S Supreme Court regarding race higher education and equal opportunity The court case drew national headlines and the NAACP moved Gaines to Chicago after he received death threats Before he could attend law school he vanished This is the first book to focus entirely on the Gaines case and the vital role played by the NAACP and its lawyers including Charles Houston known as the man who killed Jim Crow who advanced a concerted strategy to produce political change Horner and Endersby also discuss the African American newspaper journalists and editors who mobilized popular support for the NAACP's strategy This book uncovers an important step toward the broad acceptance of racial segregation as inherently unequal This is the inaugural volume in the series *Studies in Constitutional Democracy* edited by Justin Dyer and Jeffrey Pasley of the Kinder Institute on Constitutional Democracy *Race, Riots, and Roller Coasters* Victoria W. Wolcott, 2012-08-16 Throughout the twentieth century African Americans challenged segregation at amusement parks swimming pools and skating rinks not only in pursuit of pleasure but as part of a wider struggle for racial equality Well before the Montgomery bus boycott mothers led their children into segregated amusement parks teenagers congregated at forbidden swimming pools and church groups picnicked at white only parks But too often white mobs attacked those who dared to transgress racial norms In *Race Riots and Roller Coasters* Victoria W Wolcott tells the story of this battle for access to leisure space in cities all over the United States Contradicting the nostalgic image of urban leisure venues as democratic spaces Wolcott reveals that racial segregation was crucial to their appeal Parks pools and playgrounds offered city dwellers room to exercise relax and escape urban cares These gathering spots also gave young people the opportunity to mingle flirt and dance As cities grew more diverse these social forms of fun prompted white insistence on racially exclusive recreation Wolcott shows how black activists and ordinary people fought such infringements on their right to access public leisure In the face of violence and intimidation they swam at white only beaches boycotted discriminatory roller rinks and picketed Jim Crow amusement parks When African Americans demanded inclusive public recreational facilities white consumers abandoned those places Many parks closed or privatized within a decade of desegregation Wolcott's book tracks the decline of the urban amusement park and the simultaneous rise of the suburban theme park reframing these shifts within the civil rights context Filled with detailed accounts and powerful insights *Race Riots and Roller Coasters*

brings to light overlooked aspects of conflicts over public accommodations This eloquent history demonstrates the significance of leisure in American race relations *Black Conservative Intellectuals in Modern America* Michael L. Ondaatje, 2011-11-29 In the last three decades a brand of black conservatism espoused by a controversial group of African American intellectuals has become a fixture in the nation's political landscape its proponents having shaped policy debates over some of the most pressing matters that confront contemporary American society Their ideas though have been neglected by scholars of the African American experience and much of the responsibility for explaining black conservatism's historical and contemporary significance has fallen to highly partisan journalists Typically those pundits have addressed black conservatives as an undifferentiated mass proclaiming them good or bad right or wrong color blind visionaries or Uncle Toms In *Black Conservative Intellectuals in Modern America* Michael L. Ondaatje delves deeply into the historical archive to chronicle the origins of black conservatism in the United States from the early 1980s to the present Focusing on three significant policy issues affirmative action welfare and education Ondaatje critically engages with the ideas of nine of the most influential black conservatives He further documents how their ideas were received both by white conservatives eager to capitalize on black support for their ideas and by activists on the left who too often sought to impugn the motives of black conservatives instead of challenging the merits of their claims While Ondaatje's investigation uncovers the themes and issues that link these voices together he debunks the myth of a monolithic black conservatism Figures such as Supreme Court Justice Clarence Thomas the Hoover Institution's Thomas Sowell and Shelby Steele and cultural theorist John McWhorter emerge as individuals with their own distinct understandings of and relationships to the conservative political tradition

Civil Rights and Civil Liberties in America Michael C. LeMay, 2021-04-21 This book covers civil rights and civil liberties politics in the United States from the ratification of the Bill of Rights to more recent controversies such as the travel ban and proposals to end birthright citizenship *Civil Rights and Civil Liberties A Reference Handbook* provides a thorough overview of civil rights in U.S. history detailing all the relevant amendments to the Constitution and reviewing key Supreme Court decisions and landmark cases on the topic Aimed at general readers as well as high school college and university students it focuses on the role of federal courts in civil rights and civil liberties politics It also profiles the primary actors in civil rights and civil liberties both organizations and people The volume comprises seven chapters Chapter 1 presents the history and background of the topic and Chapter 2 discusses problems controversies and solutions Chapter 3 consists of essays by contributors that round out the coauthors' expertise Chapter 4 profiles important organizations and people while Chapter 5 offers relevant data and documents Chapter 6 is composed of an annotated list of important resources Finally Chapter 7 offers a useful chronology citing and describing the major events related to the topic from the nation's founding until 2019 *Boundary Control* Edward L. Gibson, 2013-01-07 The democratization of a national government is only a first step in diffusing democracy throughout a country's territory Even after a national government is democratized subnational

authoritarian enclaves often continue to deny rights to citizens of local jurisdictions Gibson offers new theoretical perspectives for the study of democratization in his exploration of this phenomenon His theory of boundary control captures the conflict pattern between incumbents and oppositions when a national democratic government exists alongside authoritarian provinces or states He also reveals how federalism and the territorial organization of countries shape how subnational authoritarian regimes are built and how they unravel Through a novel comparison of the late nineteenth century American Solid South with contemporary experiences in Argentina and Mexico Gibson reveals that the mechanisms of boundary control are reproduced across countries and historical periods As long as subnational authoritarian governments coexist with national democratic governments boundary control will be at play The U.S. Supreme Court and Racial Minorities Leslie F. Goldstein, 2017-07-28 The U S Supreme Court and Racial Minorities offers an in depth chronologically arranged look at the record of the U S Supreme Court on racial minorities over the course of its first two centuries It does not pose the anachronistic standard Did the Supreme Court get it right but rather How did the Supreme Court compare to other branches of the federal government at the time Have these Justices prevented against removal from office by discontented voters in contrast to the President and the members of Congress done any better than the elected branches of government at protecting racial minorities in America *Between Law and Politics* Richard L. Pacelle, 2003 At the intersection of law and politics stands the U S Solicitor General Although even the informed public rarely thinks of the solicitor general in relation to the major issues that have challenged American society this office actually has considerable control over the cases the Supreme Court addresses To bring the Office of Solicitor General OSG out of the shadows and into the clear light of public attention *Between Law and Politics* looks at three hotly contested policy areas race gender and reproductive rights to see how the office balances the goals of the president Congress and the Supreme Court The OSG is charged with helping the Supreme Court build a coherent doctrine and imposing some stability on the law At the same time the solicitor general is a presidential appointee Deciding which cases to appeal arguing those cases before the Supreme Court and filing friendofthecourt briefs means the solicitor general plays an important role in furthering the policy objections of the current administration Therein lies the tension between law and politics that is at the heart of the calculations the solicitor general makes on a daily basis Using interviews with solicitors general and their staffs members of the Department of Justice and others and analyzing Supreme Court cases beginning with the Truman administration Richard Pacelle shows how the OSG balances the competing forces in its environment His analysis is undergirded by aggregate analysis of the data gathered This detailed and systematic study will be of great interest to those who study the Supreme Court the presidency and public policy It is unique in its close examination of a number of particular areas of law and the strength and persuasiveness of its analysis of the competing constituencies that face the Office of the Solicitor General The timeliness and controversial nature of the policy areas Pacelle examines give the book further importance to students of American politics

The Great Dissenter Peter S. Canellos, 2022-06-28 The story of an American hero who stood against all the forces of Gilded Age America to help enshrine our civil rights and economic freedoms Dissent No one wielded this power more aggressively than John Marshall Harlan a young union veteran from Kentucky who served on the US Supreme Court from the end of the Civil War through the Gilded Age In the long test of time this lone dissenter was proven right in case after case They say history is written by the victors but that is not Harlan's legacy his views not those of his fellow justices ultimately ended segregation and helped give us our civil rights and our economic freedoms Derided by many as a loner and loser he ended up being acclaimed as the nation's most courageous jurist a man who saw the truth and justice that eluded his contemporaries Our Constitution is color blind and neither knows nor tolerates classes among citizens he wrote in his famous dissent in *Plessy v. Ferguson* one of many cases in which he lambasted his colleagues for denying the rights of African Americans When the court struck down antitrust laws Harlan called out the majority for favoring its own economic class He did the same when the justices robbed states of their power to regulate the hours of workers and shielded the rich from the income tax When other justices said the court was powerless to prevent racial violence he took matters into his own hands he made sure the Chattanooga officials who enabled a shocking lynching on a bridge over the Tennessee River were brought to justice In this monumental biography prize winning journalist and bestselling author Peter S Canellos chronicles the often tortuous and inspiring process through which Supreme Courts can make and remake the law across generations But he also shows how the courage and outlook of one man can make all the difference Why did Harlan see things differently Because his life was different He grew up alongside Robert Harlan whom many believed to be his half brother Born enslaved Robert Harlan bought his freedom and became a horseracing pioneer and a force in the Republican Party It was Robert who helped put John on the Supreme Court At a time when many justices journey from the classroom to the bench with few stops in real life the career of John Marshall Harlan is an illustration of the importance of personal experience in the law And Harlan's story is also a testament to the vital necessity of dissent and of how a flame lit in one era can light the world in another

Murder in Mississippi Howard Ball, 2004 Few episodes in the modern civil rights movement were more galvanizing than the 1964 brutal murders of Michael Schwerner Andrew Goodman and James Chaney As we approach the 40th anniversary of the murders in June 2004 *Murder in Mississippi* provides a timely and telling reminder of the vigilance democracy requires if its ideals are to be fully realized

White Nationalism, Black Interests Ronald W. Walters, 2003 A study of the most racially conscious aspect of the Conservative movement and its impact on politics and current public policy The rise of the Conservative movement in the United States over the last two decades is evident in current public policy including the passage of the Welfare Reform Act the weakening of affirmative action and the approval of educational vouchers for private schooling At the same time new rules on congressional redistricting prohibit legislators from constructing majority black congressional districts and blacks continue to suffer disproportionate rates of incarceration and

death penalty sentencing In this significant new study the distinguished political scientist Ronald W Walters argues that the Conservative movement during this period has had an inordinate impact on American governing institutions and that a strong though very often unstated racial hostility drives the public policies put forth by Conservative politicians Walters traces the emergence of what he calls a new White Nationalism showing how it fuels the Conservative movement invades the public discourse and generates policies that protect the interests of white voters at the expense of blacks and other nonwhites Using historical and contemporary examples of White Nationalist policy as well as empirical public opinion data Walters demonstrates the degree to which this ideology exists among white voters and the negative impact of its policies on the black community White Nationalism Black Interests terms the current period a second Reconstruction comparing the racial dynamics in the post Civil Rights era to those of the first Reconstruction following the end of the Civil War Walters s analysis of contemporary racial politics is uniquely valuable to scholars and lay readers alike and is sure to spark further public debate

Achieving Democracy Mary Fran T. Malone, 2015-12-24 Democracy is the ability to participate freely and equally in the political and economic affairs of the country Americans have relied on philosophical pragmatism and on the impulse of political progressivism to express those creedal democratic values Achieving Democracy argues that in the last 30 years however by focusing on free markets and small government America has since lost its grasp on these crucial democratic values Economically the vast majority of Americans have been made worse off due to a historically unprecedented redistribution of wealth from the lower and middle classes to the top one percent Politically partisan gridlock has hampered efforts to seek fairer taxes responsive and effective regulation reliable health care and better education among other needs Achieving Democracy critiques the history of the last 30 years of neoliberal government in the United States and enables an understanding of the dynamic and changing nature of contemporary government and the future of the regulatory state Sidney A Shapiro and Joseph P Tomain demonstrate how lessons from the past can be applied today to regain essential democratic losses within the successful framework of a progressive government to ultimately construct a good society for all citizens

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ver a thousand miles on a motorcycle just before christmas 1989 that was how keanu reeves went to see his friend river phoenix riding his motorcycle from canada all the way down the eastern united states until he reached gainesville florida his cargo the treatment for a movie called my own private idaho by director gus van sant

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