

RECASTING AMERICAN LIBERTY

GENDER, RACE, LAW, AND THE
RAILROAD REVOLUTION, 1865–1920

BARBARA
YOUNG
WELKE



Recasting American Liberty

R. Scott Huffard Jr.



Recasting American Liberty:

Recasting American Liberty Barbara Young Welke, 2001-08-13 Through courtroom dramas from 1865 to 1920 of men forced to jump from moving cars when trainmen refused to stop of women emotionally wrecked from the trauma of nearly missing a platform or street and women barred from first class ladies cars because of the color of their skin Barbara Welke offers a dramatic reconsideration of the critical role railroads and streetcars played in transforming the conditions of individual liberty at the dawn of the twentieth century The three part narrative focusing on the law of accidental injury nervous shock and racial segregation in public transit captures Americans journey from a cultural and legal ethos celebrating manly independence and autonomy to one that recognized and sought to protect the individual against the dangers of modern life Gender and race become central to the transformation charted here as much as the forces of corporate power modern technology and urban space

Black Litigants in the Antebellum American South Kimberly M. Welch, 2018-01-02 In the antebellum Natchez district in the heart of slave country black people sued white people in all white courtrooms They sued to enforce the terms of their contracts recover unpaid debts recuperate back wages and claim damages for assault They sued in conflicts over property and personal status And they often won Based on new research conducted in courthouse basements and storage sheds in rural Mississippi and Louisiana Kimberly Welch draws on over 1 000 examples of free and enslaved black litigants who used the courts to protect their interests and reconfigure their place in a tense society To understand their success Welch argues that we must understand the language that they used the language of property in particular to make their claims recognizable and persuasive to others and to link their status as owner to the ideal of a free autonomous citizen In telling their stories Welch reveals a previously unknown world of black legal activity one that is consequential for understanding the long history of race rights and civic inclusion in America

Reconstructions Thomas J. Brown, 2008-09-23 The pivotal era of Reconstruction has inspired an outstanding historical literature In the half century after W E B DuBois published *Black Reconstruction in America* 1935 a host of thoughtful and energetic authors helped to dismantle racist stereotypes about the aftermath of emancipation and Union victory in the Civil War The resolution of long running interpretive debates shifted the issues at stake in Reconstruction scholarship but the topic has remained a vital venue for original exploration of the American past In *Reconstructions New Perspectives on the Postbellum United States* eight rising historians survey the latest generation of work and point to promising directions for future research They show that the field is opening out to address a wider range of adjustments to the experiences and effects of Civil War Increased interest in cultural history now enriches understandings traditionally centered on social and political history Attention to gender has joined a focus on labor as a powerful strategy for analyzing negotiations over private and public authority The contributors suggest that Reconstruction historiography might further thrive by strengthening connections to such subjects as western history legal history and diplomatic history and by redefining the chronological boundaries of the

postwar period The essays provide more than a variety of attractive vantage points for fresh examination of a major phase of American history By identifying the most exciting recent approaches to a theme previously studied so ably the collection illuminates the creative process in scholarly historical literature *Laws of Image* Samantha Barbas,2015-09-30 Americans have long been obsessed with their images their looks public personas and the impressions they make This preoccupation has left its mark on the law The twentieth century saw the creation of laws that protect your right to control your public image to defend your image and to feel good about your image and public presentation of self These include the legal actions against invasion of privacy libel and intentional infliction of emotional distress With these laws came the phenomenon of personal image litigation individuals suing to vindicate their image rights *Laws of Image* tells the story of how Americans came to use the law to protect and manage their images feelings and reputations In this social cultural and legal history Samantha Barbas ties the development of personal image law to the self consciousness and image consciousness that has become endemic in our media saturated culture of celebrity and consumerism where people see their identities as intertwined with their public images The laws of image are the expression of a people who have become so publicity conscious and self focused that they believe they have a right to control their images to manage and spin them like actors politicians and rock stars *Licensed to Practice* James C. Mohr,2013-11-15 How did American doctors come to be licensed on the terms we now take for granted *Licensed to Practice* begins with an 1891 shooting in Wheeling West Virginia that left one doctor dead and another on trial for his life Formerly close friends the doctors had fallen out over the issue of medical licensing Historian James C Mohr calls the murder a sorry personal consequence of the far larger and historically significant battle among West Virginia s physicians over the future of their profession Through most of the nineteenth century anyone could call themselves a doctor and could practice medicine on whatever basis they wished But an 1889 U S Supreme Court case *Dent v West Virginia* effectively transformed medical practice from an unregulated occupation to a legally recognized profession The political and legal battles that led up to the decision were unusually bitter especially among physicians themselves and the outcome was far from a foregone conclusion So called Regular physicians wanted to impose their own standards on the wide open medical marketplace in which they and such non Regulars as Thomsonians Botanics Hydropaths Homeopaths and Eclectics competed The Regulars achieved their goal by persuading the state legislature to make it a crime for anyone to practice without a license from the Board of Health which they controlled When the high court approved that arrangement despite constitutional challenges the licensing precedents established in West Virginia became the bedrock on which the modern American medical structure was built And those precedents would have profound implications Thus does *Dent* a little known Supreme Court case influence how Americans receive health care more than a hundred years after the fact **Black Americans and Organized Labor** Paul D. Moreno,2008-01-01 In *Black Americans and Organized Labor* Paul D Moreno offers a bold reinterpretation of the role of race and racial discrimination in the American labor movement Moreno

applies insights of the law and economics movement to formulate a powerfully compelling labor race theorem of elegant simplicity White unionists found that race was a convenient basis on which to do what unions do control the labor supply Not racism pure and simple but the economics of discrimination explains historic black absence and under representation in unions Moreno s sweeping reexamination stretches from the antebellum period to the present integrating principal figures such as Frederick Douglass and Samuel Gompers Isaac Myers and Booker T Washington and W E B Du Bois and A Philip Randolph He traces changing attitudes and practices during the simultaneous black migration to the North and consolidation of organized labor s power through the confusing and conflicted post World War II period during the course of the civil rights movement and into the era of affirmative action Maneuvering across a wide span of time and a broad array of issues Moreno brings remarkable clarity to the question of the importance of race in unions He impressively weaves together labor policy and African American history into a cogent persuasive revisionist study that cannot be ignored *The Horse in the City* Clay McShane, Joel Arthur Tarr, 2007-07-16 Honorable mention 2007 Lewis Mumford Prize American Society of City and Regional Planning The nineteenth century was the golden age of the horse In urban America the indispensable horse provided the power for not only vehicles that moved freight transported passengers and fought fires but also equipment in breweries mills foundries and machine shops Clay McShane and Joel A Tarr prominent scholars of American urban life here explore the critical role that the horse played in the growing nineteenth century metropolis Using such diverse sources as veterinary manuals stable periodicals teamster magazines city newspapers and agricultural yearbooks they examine how the horses were housed and fed and how workers bred trained marketed and employed their four legged assets Not omitting the problems of waste removal and corpse disposal they touch on the municipal challenges of maintaining a safe and productive living environment for both horses and people and the rise of organizations like the American Society for the Prevention of Cruelty to Animals In addition to providing an insightful account of life and work in nineteenth century urban America *The Horse in the City* brings us to a richer understanding of how the animal fared in this unnatural and presumably uncomfortable setting

Rationing Justice Kris Shepard, 2009-04-01 Established in 1964 the federal Legal Services Program later Corporation served a vast group of Americans desperately in need of legal counsel the poor In *Rationing Justice* Kris Shepard looks at this pioneering program s effect on the Deep South as the poor made tangible gains in cases involving federal state and local social programs low income housing consumer rights domestic relations and civil rights While poverty lawyers Shepard reveals did not by themselves create a legal revolution in the South they did force southern politicians policy makers businessmen and law enforcement officials to recognize that they could not ignore the legal rights of low income citizens Having survived for four decades America s legal services program has adapted to ever changing political realities including slashed budgets and severe restrictions on poverty law practice adopted by the Republican led Congress of the mid 1990s With its account of the relationship between poverty lawyers and their clients and their

interaction with legal political and social structures Rationing Justice speaks poignantly to the possibility of justice for all in America

Fenians, Freedmen, and Southern Whites Mitchell Snay, 2010-09-01 After the American Civil War several movements for ethnic separatism and political self determination significantly shaped the course of Reconstruction The Union Leagues mobilized African Americans to fight for their political rights and economic security while the Ku Klux Klan used intimidation and violence to maintain the political and economic hegemony of southern whites Founded in 1858 as the Irish Revolutionary Brotherhood the Irish American Fenians sought to liberate Ireland from English rule In Fenians Freedmen and Southern Whites Mitchell Snay provides a compelling comparison of these seemingly disparate groups and illuminates the contours of nationalism during Reconstruction By joining the Fenians with freedpeople and southern whites Snay seeks to assert their central relevance to the dynamics of nationalism during Reconstruction and offers a highly original analysis of Reconstruction as an Age of Capital and an Age of Emancipation where categories of race class and gender as well as nationalism were fluid and contested After the American Civil War several movements for ethnic separatism and political self determination significantly shaped the course of Reconstruction The Union Leagues which began during the war to support the northern effort spread to the South after the war and mobilized African Americans to fight for their political rights and economic security Opposing the Leagues was the Ku Klux Klan which used intimidation and violence to maintain the political and economic hegemony of southern whites Founded in 1858 as the Irish Revolutionary Brotherhood the Irish American Fenians sought to liberate Ireland from English rule Mitchell Snay provides a compelling comparison of these seemingly disparate groups in Fenians Freedmen and Southern Whites illuminating the contours of nationalism during Reconstruction Despite their separate and often opposing goals the Fenians Union Leagues and the Klan Snay reveals shared many characteristics To various extents they were secret societies that sought to advance their mission through both political and extra political means Both the League and the Klan employed elaborate rites of initiation and secret passwords common to nineteenth century fraternal organizations They also shared a similar political culture of secrecy conspiracy and countersubversion All three groups were quasi military in structure and activities and shared a desire for the control of land Among the three organizations Snay shows the Fenians provide the clearest case of nationalist aspirations along the lines of ethnicity though the rise of racial consciousness among both southern whites and blacks also might be seen as expressions of ethnic nationalism According to Snay the political culture of Reconstruction encouraged the nationalist ambitions of these groups but channeled their separatist impulses along civil rather than ethnic lines by focusing on questions of freedom citizenship and suffrage In addition the Republican emphasis on color blind equality limited overt expressions of national identities based solely on ethnicity or race Unlike southern whites and blacks Irish Americans are seldom mentioned in Reconstruction histories By joining the Fenians with freedpeople and southern whites Snay seeks to assert their central relevance to the dynamics of nationalism during Reconstruction and offers a highly original analysis of Reconstruction as an

Age of Capital and an Age of Emancipation where categories of race class and gender as well as nationalism were fluid and contested

Staging Migrations toward an American West Marta Effinger-Crichlow, 2014-10-15 *Staging Migrations toward an American West* examines how black women's theatrical and everyday performances of migration toward the American West expose the complexities of their struggles for sociopolitical emancipation. While migration is often viewed as merely a physical process, Effinger-Crichlow expands the concept to include a series of symbolic internal journeys within confined and unconfined spaces. Four case studies consider how the featured women activist Ida B. Wells, singer Sissieretta "Black Patti" Jones, World War II black female defense industry workers, and performance artist Rhodessa Jones imagined and experienced the American West geographically and symbolically at different historical moments. Dissecting the varied ways they used migration to survive in the world from the viewpoint of theater and performance theory, Effinger-Crichlow reconceptualizes the migration histories of black women in nineteenth and twentieth century America. This interdisciplinary study expands the understanding of the African American struggle for unconstrained movement and full citizenship in the United States and will interest students and scholars of American and African American history, women and gender studies, theater, and performance theory.

A Companion to the Gilded Age and Progressive Era Christopher McKnight Nichols, Nancy C. Unger, 2022-06-15 *A Companion to the Gilded Age and Progressive Era* presents a collection of new historiographic essays covering the years between 1877 and 1920, a period which saw the U.S. emerge from the ashes of Reconstruction to become a world power. The single definitive resource for the latest state of knowledge relating to the history and historiography of the Gilded Age and Progressive Era, it features contributions by leading scholars in a wide range of relevant specialties. Coverage of the period includes geographic, social, cultural, economic, political, diplomatic, ethnic, racial, gendered, religious, global, and ecological themes and approaches. In today's era, often referred to as a second Gilded Age, this book offers relevant historical analysis of the factors that helped create contemporary society. It fills an important chronological gap in period-based American history collections.

Engines of Redemption R. Scott Huffard Jr., 2019-10-14 After the upheavals of the Civil War and Reconstruction shattered the plantation economy of the Old South, white southerners turned to the railroad to reconstruct capitalism in the region. Examining the rapid growth, systemization, and consolidation of the southern railroad network, R. Scott Huffard Jr. demonstrates how economic and political elites used the symbolic power of the railroad to proclaim a New South had risen. The railroad was more than just an economic engine of growth; it was a powerful symbol of capitalism's advance. However, as the railroad spread across the region, it also introduced new dangers and anxieties. White southerners came to fear the railroad would speed an upending of the racial order, epidemics of yellow fever, train wrecks, violent robberies, and domination by corporate monopolies. To complete the reconstruction of capitalism, railroad corporations and their allies had to sever the negative aspects of railroading from capitalism's powers and deny the railroad's transformative powers to black southerners. This study of the New South's experience with the growing railroad network provides valuable

insights into the history of capitalism how it evolves expands and overcomes resistance **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

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.

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.

Building the Empire State Brian Phillips Murphy, 2015-06-04 Focusing on the state of New York, home to the first American banks, utilities, canals, and transportation infrastructure projects, *Building the Empire State* examines the origins of American capitalism by tracing how and why business corporations were first introduced into the economy of the early republic.

Humanities, 2002-11

An Aristocracy of Color D. Michael Bottoms, 2013-11-05 In the South after the Civil War, the reassertion of white supremacy tended to pit white against black. In the West, by contrast, a radically different drama emerged, particularly in multiracial, multiethnic California. State elections in California to ratify Reconstruction-era amendments to the U.S. Constitution raised the question of whether extending suffrage to black Californians might also lead to the political participation of thousands of Chinese immigrants. As historian D. Michael Bottoms shows in *An Aristocracy of Color*, many white Californians saw in this and other Reconstruction legislation a threat to the fragile racial hierarchy they had imposed on the state's legal system during the 1850s. But nonwhite Californians, blacks and Chinese in particular, recognized an unprecedented opportunity to reshape the state's race relations. Drawing on court records, political debates, and eyewitness accounts, Bottoms brings to life the monumental battle that followed. Bottoms begins by analyzing white Californians' mid-century efforts to prohibit nonwhite testimony against whites in court. Challenges to these laws by blacks and Chinese during Reconstruction followed a trajectory that would be repeated in later contests. Each minority challenged the others for higher status in court, at the polls, in education, and elsewhere, employing stereotypes and ideas of racial difference popular among whites to argue for its own rightful place in civilized society. Whites contributed to the melee by occasionally yielding to blacks in order to keep the Chinese and California Indians at a disadvantage. These dynamics reverberated in other state legal systems throughout the West in the mid- to late 1800s and nationwide in the twentieth century. As *An Aristocracy of Color* reveals, Reconstruction outside the South briefly promised an opportunity for broader equality, but in the end strengthened and preserved the racial hierarchy that favored whites.

The Age of Charisma

Jeremy C. Young, 2017 This book demonstrates how the modern relationship between leaders and followers in America grew out of late nineteenth and early twentieth century charismatic social movements **The History of the United States**

Civil Service Lorenzo Castellani, 2021-03-10 The History of the United States Civil Service From the Postwar Years to the Twenty First Century provides a broad comprehensive overview of the US civil service in the postwar period and examines the reforms and changes throughout that time The author situates the history of the civil service into a wider context considering political social and cultural changes that occurred and have been influential in the history of American government The book analyzes the development of administrative reorganizations administrative reforms personnel policy and political thought on public administration It also underlines continuity and changes in the structures organization and personnel management of the federal civil service and the evolution of the role of presidential control over federal bureaucracy Taking an essential but often neglected organization as its focus the text offers a rich historical analysis of an important institution in American politics This book will be of interest to teachers and students of American political history and the history of government as well as more specifically the Presidency Public Administration and Administrative Law

What Is Classical Liberal History? Michael J. Douma, Phillip W. Magness, 2017-12-21 Historians working in the classical liberal tradition believe that individual decision making and individual rights matter in the making of history History written in the classical liberal tradition emerged largely in the nineteenth century when the field of history was first professionalized in Europe and the Americas Professional historical research was then imbued with liberal values which included rigorous attention to the sources historicist suspicion of an ultimate mover an honest and dispassionate rational outlook and humility towards what could be known Above all liberals wanted to chart the history of liberty warn against threats to liberty and defend it in an evolving political world They believed history was real and that it had lessons to teach but that these lessons could not provide sufficient knowledge to predict the future or reorganize society around a central plan This book demonstrates how the classical liberal tradition in historical writing persists to this day but how it is often neglected and due for renewal The book contrasts the classical liberal view on history with conservative progressive Marxist and post modern views Each of the eleven chapters address a different historical topic from the development of classical liberalism in nineteenth century America to the the history of civil liberties and civil rights that stemmed from this tradition Authors give particular attention to the importance of social and economic analysis Each contributor was chosen as an expert in their field to provide a historiographical overview of their subject and to explain what the classical liberal contribution to this historiography has been and should be Authors then provide guidance towards possible tools of analysis and related research topics that future historians working in the classical liberal tradition could take up The authors wish to call upon other historians to recognize the important contributions to historical understanding that have come and can be provided by the insights of classical liberalism

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