

THE PLESSY CASE

A LEGAL-HISTORICAL
INTERPRETATION

CHARLES A. LOFGREN

Plessy Case A Legal Historical Interpretation

Clarke Rountree



Plessy Case A Legal Historical Interpretation:

The Plessy Case Charles A. Lofgren, 1987 In 1896 the U S Supreme Court case Plessy v Ferguson upheld equal but separate accommodations for the white and colored races on all passenger railways within the state of Louisiana In this book Lofgren traces the roots of this landmark case in the post Civil War South and pinpoints its moorings in the era s constitutional legal and intellectual doctrines

The Social History of Crime and Punishment in America: A-De Wilbur R. Miller, 2012-08-10 This comprehensive and authoritative four volume work surveys the history and philosophy of crime punishment and criminal justice institutions in America from colonial times to the present

The Journey to Separate but Equal Jack M. Beermann, 2022-10-15 In The Journey to Separate but Equal Madame Decuir s Quest for Racial Justice in the Reconstruction Era Jack Beermann tells the story of how in Hall v Decuir the post Civil War US Supreme Court took its first step toward perpetuating the subjugation of the non White population of the United States by actively preventing a Southern state from prohibiting segregation on a riverboat in the coasting trade on the Mississippi River The Journey to Separate but Equal offers the first complete exploration of Hall v Decuir with an in depth look at the case s record the lives of the parties lawyers and judges and the case s social context in 1870s Louisiana The book centers around the remarkable story of Madame Josephine Decuir and the lawsuit she pursued because she had been illegally barred from the cabin reserved for White women on the Governor Allen riverboat The drama of Madame Decuir s fight against segregation s denial of her dignity as a human and particularly as a woman enriches our understanding of the Reconstruction era especially in Louisiana including political and legal changes that occurred during that time and the plight of people of color who were freed from slavery but denied their dignity and rights as American citizens Hall v Decuir spanned the pivotal period of 1872 1878 during which White segregationist Democrats redeemed the South from Republican control The Supreme Court s ruling in Hall overturned the application of an 1869 Louisiana statute prohibiting racial segregation in Madame Decuir s case because of the status of the Mississippi River as a mode of interstate commerce The decision represents a crucial precedent that established the legal groundwork for the entrenchment of Jim Crow in the law of the United States leading directly to the Court s adoption of separate but equal in Plessy v Ferguson

Harvard Law Review: Volume 125, Number 2 - December 2011 Harvard Law Review, 2011-12-15 The Harvard Law Review is offered in a digital edition featuring active and nested Table of Contents linked footnotes and active cross references legible tables and proper ebook formatting This current issue of the Review is December 2011 the second issue of academic year 2011 2012 Volume 125 Articles in this issue are written by such recognized scholars as Jamal Greene writing on notorious or anti canonical Supreme Court cases such as Plessy and Lochner Orin Kerr on Fourth Amendment theory and Michael Klarman reviewing a new book on the Constitutional Convention Student contributions feature Notes on the John Dewey model of democracy and administrative agencies and on breaching international trade law Case Notes discuss recent decisions on such topics as civil procedure tort law patent law

constitutional law on transgender prisoners and on firing ranges stem cell research funding and corporate immunity Aside from serving as an important academic forum for legal scholarship the Review has two other goals First the journal is designed to be an effective research tool for practicing lawyers and students of the law Second it provides opportunities for Review members to develop their own editing and writing skills Accordingly each issue contains pieces by student editors as well as outside authors The Review generally publishes articles by professors judges and practitioners and solicits reviews of important recent books from recognized experts Most student writing takes the form of Notes Recent Cases Recent Legislation and Book Notes

A Documentary History of the American Civil War Era Thomas C. Mackey, 2013-05-20 A Documentary History of the American Civil War Era is the first comprehensive collection of public policy actions political speeches and judicial decisions related to the American Civil War This three volume set gives scholars and students easy access to the full texts of both the most important fundamental documents as well as hard to find rarely published primary sources on this critical period in U S history Volume 2 in the series Political Arguments presents the words of politicians political party platforms and administrative speeches It is divided into two sections The first Voices of the Politicians and Political Parties comprises the platforms of the major and some minor parties from 1856 to 1876 Also included are such pieces as Robert E Lee s letter of resignation from the U S Army a few key speeches by that rising politician from Illinois Abraham Lincoln and a letter on the American Question written by a European observer Karl Marx Other items include examples of the 1860 1861 state ordinances of secession and addresses on emancipation and Reconstruction by Jefferson Davis and by the Republican leader in the House of Representatives Thaddeus Stevens Section two Voices of the Administrations contains records from the presidencies of James Buchanan Abraham Lincoln Andrew Johnson Ulysses S Grant and Rutherford B Hayes as well as a message from Confederate President Jefferson Davis telling his congress that the Southern cause was just and holy Classic documents such as Lincoln s announcement of forthcoming emancipation and the Emancipation Proclamation are here as are lesser known but important documents such as Francis Lieber s 1863 revised law code for war General Order 100 and Attorney General James Speed s 1865 opinion supporting the Johnson administration s decision to try the Lincoln murder conspirators by special military commission and not in the civilian courts Each of the selections in Political Arguments is preceded by editor Thomas Mackey s introductory headnotes that explain the document s historical significance and trace its lasting impact These commentaries provide insight into not just law and public policy but also the broad sweep of issues important to Civil War era Americans A Documentary History of the American Civil War Era is an essential acquisition for academic and public libraries in addition to being a valuable resource for courses on the War and Reconstruction legal history political history and nineteenth century American history

Railroads and American Law James W. Ely, Jr., 2001-12-06 No enterprise is so seductive as a railroad for the influence it exerts the power it gives and the hope of gain it offers Poor s Manual of Railroads 1900 At its peak the railroad was the Internet of its day in its transformative

impact on American life and law A harbinger and promoter of economic empire it was also the icon of a technological revolution that accelerated national expansion and in the process transformed our legal system James W Ely Jr in the first comprehensive legal history of the rail industry shows that the two institutions the railroad and American law had a profound influence on each other Ely chronicles how America s first big business impelled the creation of a vast array of new laws in a country where long distance internal transport had previously been limited to canals and turnpikes Railroads the first major industry to experience extensive regulation brought about significant legal innovations governing interstate commerce eminent domain private property labor relations and much more Much of this development was originally designed to serve the interests of the railroads themselves but gradually came to contest and control the industry s power and exploitative tendencies As Ely reveals despite its great promise and potential as an engine of prosperity and uniter of far flung regions the railroad was not universally admired Railroads uprooted people threatened local autonomy and posed dangers to employees and the public alike situations with unprecedented legal ramifications Ely explores the complex and sometimes contradictory ways in which those ramifications played out as railroads crossed state lines and knitted together a diverse nation with thousands of miles of iron rail Epic in its scope Railroads and American Law makes a complex subject accessible to a wide range of readers from legal historians to railroad buffs and shows the many ways in which a powerful industry brought change and innovation to America

The Legal Universe Vine Deloria, Jr., 2016-07-06 According to Deloria and Wilkins Whenever American minorities have raised voices of protest they have been admonished to work within the legal system that seek its abolition This essential work examines the historical evolution of the legal rights of various minority groups and the relationship between these rights and the philosophical intent of the American founders

The Color-Blind Constitution Andrew Kull, 2009-07 From 1840 to 1960 the profoundest claim of Americans who fought the institution of segregation was that the government had no business sorting citizens by the color of their skin During these years the moral and political attractiveness of the antidiscrimination principle made it the ultimate legal objective of the American civil rights movement Yet in the contemporary debate over the politics and constitutional law of race the vital theme of antidiscrimination has been largely suppressed Thus a strong line of argument laying down one theoretical basis for the constitutional protection of civil rights has been lost Andrew Kull provides us with the previously unwritten history of the color blind idea From the arguments of Wendell Phillips and the Garrisonian abolitionists through the framing of the Fourteenth Amendment and Justice Harlan s famous dissent in Plessy civil rights advocates have consistently attempted to locate the antidiscrimination principle in the Constitution The real alternative embraced by the Supreme Court in 1896 was a constitutional guarantee of reasonable classification The government it said had the power to classify persons by race so long as it acted reasonably the judiciary would decide what was reasonable In our own time in Brown v Board of Education and the decisions that followed the Court nearly avowed the rule of color blindness that civil rights lawyers continued to assert

instead it veered off for political and tactical reasons deciding racial cases without stating constitutional principle The impoverishment of the antidiscrimination theme in the Court's decision prefigured the affirmative action shift in the civil rights agenda The social upheaval of the 1960s put the color blind Constitution out of reach for a quartercentury or more but for the hard choices still to be made in racial policy the colorblind tradition of civil rights retains both historical and practical significance

The Supreme Court, Race, and Civil Rights Abraham L. Davis, Barbara Luck Graham, 1995-07-25

Providing a well rounded presentation of the constitution and evolution of civil rights in the United States this book will be useful for students and academics with an interest in civil rights race and the law Abraham L Davis and Barbara Luck Graham's purpose is to give an overview of the Supreme Court and its rulings with regard to issues of equality and civil rights to bring law political science and history into the discussion of civil rights and the Supreme Court to incorporate the politically disadvantaged and the human component into the discussion to stimulate discussion among students and to provide a text that cultivates competence in reading actual Supreme Court cases

The American Supreme Court Robert G. McCloskey, 2010-07-15 Celebrating its fiftieth anniversary Robert McCloskey's classic work on the Supreme Court's role in constructing the U S Constitution has introduced generations of students to the workings of our nation's highest court For this new fifth edition Sanford Levinson extends McCloskey's magisterial treatment to address the Court's most recent decisions As in prior editions McCloskey's original text remains unchanged In his historical interpretation he argues that the strength of the Court has always been its sensitivity to the changing political scene as well as its reluctance to stray too far from the main currents of public sentiments In two revised chapters Levinson shows how McCloskey's approach continues to illuminate developments since 2005 including the Court's decisions in cases arising out of the War on Terror which range from issues of civil liberty to tests of executive power He also discusses the Court's skepticism regarding campaign finance regulation its affirmation of the right to bear arms and the increasingly important nomination and confirmation process of Supreme Court justices including that of the first Hispanic justice Sonia Sotomayor The best and most concise account of the Supreme Court and its place in American politics McCloskey's wonderfully readable book is an essential guide to the past present and future prospects of this institution

The Opening of American Law Herbert Hovenkamp, 2015 Two late Victorian ideas disrupted American legal thought the Darwinian theory of evolution and marginalist economics The legal thought that emerged can be called neoclassical because it embodied ideas that were radically new while retaining many elements of what had gone before Although Darwinian social science was developed earlier in most legal disciplines outside of criminal law and race theory marginalist approaches came to dominate This book carries these themes through a variety of legal subjects in both public and private law

Biographical Encyclopedia of the Supreme Court Melvin I.

Urofsky, 2006-05-25 The recent dramatic shift in makeup of the U S Supreme Court has led to great interest in the rulings and legal opinions of its justices Now CQ Press brings you a comprehensive volume that analyzes the lives and legal

philosophies of all past and present justices of the Court Biographical Encyclopedia of the Supreme Court includes signed essays profiling the men and women who have served and are serving on the U S Supreme Court This one of a kind reference includes not only important biographical information but also in depth details of the legal contributions made by the men and women of the nation s highest bench Keeping up with the recent changes to the Court this volume includes all current justices New essays profile Chief Justice John Roberts and Justice Samuel Alito Justices are arranged in an easy to use alphabetical format Each essay is prefaced with key biographical information for each justice such as Birth and death dates Date of nomination to the Court The name of president who nominated the justice The date he or she was seated Date range of service on the Court Within each essay written by a top legal expert scholar or journalist Biographical Encyclopedia of the Supreme Court provides facts and context along with analysis of the opinions and legal philosophies for each justice This new volume is an updated edition of The Supreme Court Justices A Biographical Dictionary 1994 It will prove a valuable resource for academic community college law school and public libraries

The Constitution of the United States of America Mark Tushnet,2015-08-27 This is the second edition of Professor Tushnet s short critical introduction to the history and current meaning of the United States Constitution It is organised around two themes first the US Constitution is old short and difficult to amend Second the Constitution creates a structure of political opportunities that allows political actors including political parties to pursue the preferred policy goals even to the point of altering the very structure of politics Deploying these themes to examine the structure of the national government federalism judicial review and individual rights the book provides basic information about and deeper insights into the way the US constitutional system has developed and what it means today

Brown V. Board of Education at Fifty Clarke Rountree,2004-01-01 The story of Brown v Board of Education is a half century old now and has been retold many times by historians legal scholars sociologists and others This collection of persuasive scholarly essays examines for the first time the role rhetorical theory played in the development of educational segregation Contributors consider the NAACP's development of a series of graduate school cases to challenge Plessy analyze the Brown decision itself assess the state response to Brown and critique the two Supreme Court decisions implementing the Brown decision By illustrating how rhetorical strategies created sustained challenged and ultimately reversed educational segregation in the United States this work demonstrates the real value of the rhetorical perspective and provides encouragement to those who wish to help further develop this emerging field of judicial rhetoric

History of Special Education Anthony F. Rotatori,Festus E. Obiakor,Jeffrey P. Bakken,2011-01-25 Examines the history of special education by categorical areas for example Learning Disabilities Mental Retardation and Autistic Spectrum Disorders This title includes chapters on the changing philosophy related to educating students with exceptionalities as well as a history of legal and legislative content concerned with special education

Civil Disobedience and the German Courts Peter E. Quint,2007-12-17 The book is the first full length English language treatment of the civil disobedience of the West German

Peace Movement in the 1980s and the resulting trials of some of its members in the German Constitutional Court The book uses these events and critical cases to analyze the German Constitutional Court as a crucial institution of government and it also places the outcomes of the cases at an important turning point in German constitutional history The Historic Turn in the Human Sciences Terrence J. McDonald, 1996 Eleven essays that probe the historical project in a wide range of disciplines

Race, Place, and the Law, 1836-1948 David Delaney, 2010-06-28 Black and white Americans have occupied separate spaces since the days of the big house and the quarters But the segregation and racialization of American society was not a natural phenomenon that just happened The decisions enacted into laws that kept the races apart and restricted blacks to less desirable places sprang from legal reasoning which argued that segregated spaces were right reasonable and preferable to other arrangements In this book David Delaney explores the historical intersections of race place and the law Drawing on court cases spanning more than a century he examines the moves and countermoves of attorneys and judges who participated in the geopolitics of slavery and emancipation in the development of Jim Crow segregation which effectively created apartheid laws in many cities and in debates over the doctrine of changed conditions which challenged the legality of restrictive covenants and private contracts designed to exclude people of color from white neighborhoods This historical investigation yields new insights into the patterns of segregation that persist in American society today Tell the Court I Love My Wife Peter Wallenstein, 2015-03-24 The first in depth history of miscegenation law in the United States this book illustrates in vivid detail how states communities and the courts have defined and regulated mixed race marriage from the colonial period to the present Combining a storyteller's detail with a historian's analysis Peter Wallenstein brings the sagas of Richard and Mildred Loving and countless other interracial couples before them to light in this harrowing history of how individual states had the power to regulate one of the most private aspects of life marriage Rehabilitating Lochner David E. Bernstein, 2011-05-15 In this timely reevaluation of an infamous Supreme Court decision David E Bernstein provides a compelling survey of the history and background of *Lochner v New York* This 1905 decision invalidated state laws limiting work hours and became the leading case contending that novel economic regulations were unconstitutional Sure to be controversial *Rehabilitating Lochner* argues that the decision was well grounded in precedent and that modern constitutional jurisprudence owes at least as much to the limited government ideas of *Lochner* proponents as to the more expansive vision of its Progressive opponents Tracing the influence of this decision through subsequent battles over segregation laws sex discrimination civil liberties and more *Rehabilitating Lochner* argues not only that the court acted reasonably in *Lochner* but that *Lochner* and like minded cases have been widely misunderstood and unfairly maligned ever since

This book delves into Plessy Case A Legal Historical Interpretation. Plessy Case A Legal Historical Interpretation is an essential topic that needs to be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Plessy Case A Legal Historical Interpretation, encompassing both the fundamentals and more intricate discussions.

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 - Chapter 5: Conclusion
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- The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. It is highly recommended for anyone seeking to gain a comprehensive understanding of Plessy Case A Legal Historical Interpretation.

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Plessy Case A Legal Historical Interpretation Introduction

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