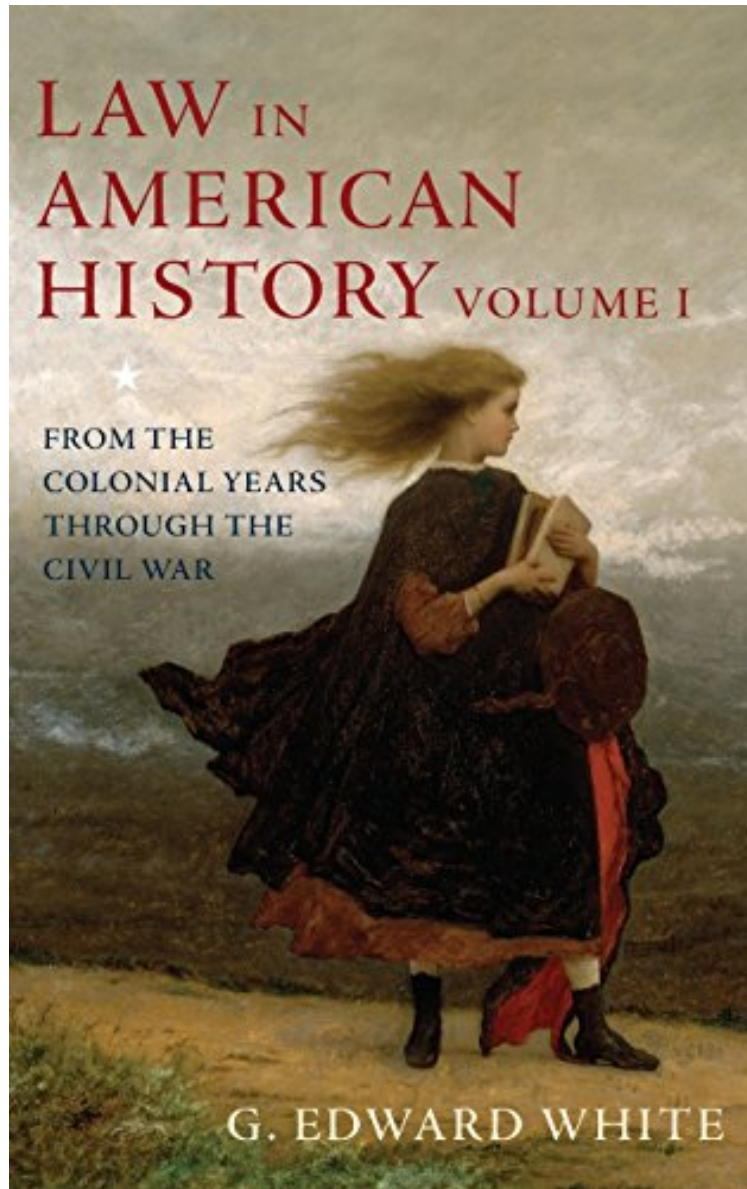


[Pdf free] Law in American History: Volume 1: From the Colonial Years Through the Civil War

# Law in American History: Volume 1: From the Colonial Years Through the Civil War

*G. Edward White*

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**G. Edward White : Law in American History: Volume 1: From the Colonial Years Through the Civil War** before purchasing it in order to gage whether or not it would be worth my time, and all praised Law in American History: Volume 1: From the Colonial Years Through the Civil War:

1 of 1 people found the following review helpful. Five StarsBy John E. BanksThe English prose runs smoothly.1 of 1 people found the following review helpful. Five StarsBy Peter Albert McKayA fascinating take on a great topic.31 of 32 people found the following review helpful. A redefinition of legal historyBy Anson Cassel MillsWhite's introduction provides a more playful and accurate, alternate title: "Some Arguably Central Themes of American History and How Law Is Seen to Relate To Them, Offered With Deference...." In other words, this volume is not what the title seems to suggest it might be, a Friedmanesque (or rather, a counter-Friedmanesque) survey of American legal theory and practice. Instead, White emphasizes a few major themes in early American history, such as European dispossession of Indians from tribal lands, the causes of the American Revolution, the increasing political importance of the Supreme Court, the significance of American entrepreneurship, and, perhaps most importantly, the polarizing effects of African slavery. In other words, White leans heavily towards the public/constitutional side of legal history (though he promises to redress the balance somewhat in the next volume).The prose is careful and sound, if not sparkling; and White includes many unexpected excursions, including summaries of the post-Jacksonian party system, Frederick Douglas's childhood and escape from slavery, and (perhaps most surprisingly for a book on legal history) a ten-page military overview of the Civil War. Hopefully Oxford University Press has a better notion of the target audience than I do. The book doesn't appear to be intended as a text or a reference, legal historians will find little new here, and the length and discursiveness of the book may put off general readers.

In the first of the three volumes of his projected comprehensive narrative history of the role of law in America from the colonial years through the twentieth century, G. Edward White takes up the central themes of American legal history from the earliest European settlements through the Civil War. Included in the coverage of this volume are the interactions between European and Amerindian legal systems in the years of colonial settlement; the crucial role of Anglo-American theories of sovereignty and imperial governance in facilitating the separation of the American colonies from the British Empire in the late eighteenth century; the American "experiment" with federated republican constitutionalism in the founding period; the major importance of agricultural householding, in the form of slave plantations as well as farms featuring wage labor, in helping to shape the development of American law in the eighteenth and nineteenth centuries; the emergence of the Supreme Court of the United States as an authoritative force in American law and politics in the early nineteenth century; the interactions between law, westward expansion, and transformative developments in transportation and communication in the antebellum years; the contributions of American legal institutions to the dissolution of the Union of American states in the three decades after 1830; and the often-overlooked legal history of the Confederacy and Union governments during the Civil War.White incorporates recent scholarship in anthropology, ethnography, and economic, political, intellectual and legal history to produce a narrative that is both revisionist and accessible, taking up the familiar topics of race, gender, slavery, and the treatment of native Americans from fresh perspectives. Along the way he provides a compelling case for why law can be seen as the key to understanding the development of American life as we know it. *Law in American History, Volume 1* will be an essential text for both students of law and general readers.

"G. Edward White's first volume of *Law in American History* is an outstanding contribution to legal history. The book surveys the history of American law through the end of the Civil War in remarkable detail for a single-volume work." --Journal of American History "This is a magisterial account of a series of dramatic legal developments. Essential." --CHOICE "Never before has a work on American legal history engaged so profoundly with the distinctiveness of America's displacement of Indians and enslavement of Africans. This fascinating and original book will change the way the category 'American law' is defined."--Noah Feldman, Harvard Law School "In this ambitious and sweeping narrative of a formative era in American legal and constitutional history, White takes us a large step forward in our thinking about the relationships among law, politics, and culture."--Alison la Croix, University of Chicago Law School "Ted White is one of the few legal historians whose broad and deep knowledge of American law from the earliest years to the present might enable him to synthesize the American legal experience. This magnificent first volume of a multivolume history takes us up to the Civil War, and provides a compelling, coherent, challenging, and readable account of the first half of American legal history. *Law in American History* is the welcome culmination of a lifetime of scholarship."--Stanley n. Katz, Princeton University "White embeds American law in our culture and thus links legal doctrine and institutions to the ideas of freedom central to our nation's development. This is an authoritative work of American history, told through the framework of law."--Alfred L. Brophy, University of North Carolina, Chapel Hill "In this wonderful volume, we see a masterful historian at the top of his game. White synthesizes and makes accessible a truly immense amount of material-making coherent evolving developments in (and interactions between) public and private law, courts and politics, and government and society."--Larry D. Kramer, Stanford Law School "White's first volume is as crisp and elegant a statement of the central themes in the history of American law as any I know. The pages move seamlessly from the law of everyday life in the household and the workplace to the great constitutional controversies of the day. This is a book that proceeds with refreshing candor and good common sense."--John Witt, Yale Law School "G. Edward White's first volume of *Law in American History* is an outstanding

contribution to legal history. ... White's focus on legal, popular, and elite cultures permeates the entire tale told in this volume. He extends his inquiry to examine lawyers' professional culture, slave culture, their masters' culture, and that of abolitionists, workingmen, and indentured servants. It is these cultural themes that allow even the most seasoned of legal historians reading this book to see events in a new light. That altered vision whets the appetite for White's planned second volume to complete the story." --Journal of American History "G. Edward White is one of America's most eminent legal historians... [and] we now know more and have a truer understanding of the history of the law in America than we did before White began writing legal history forty years ago." --The New Republic About the Author G. Edward White is David and Mary Harrison Distinguished Professor of Law and University Professor at the University of Virginia. His fifteen books include *The American Judicial Tradition* and *Justice Oliver Wendell Holmes*. White is also the editor of the John Harvard Library edition of *Oliver Wendell Holmes, Jr., The Common Law*.