

Contents

Notes on Contributors	x
Introduction <i>Sally E. Hadden and Alfred L. Brophy</i>	1
Part I Chronological Overviews	5
1 Reconsidering the Seventeenth Century: Legal History in the Americas <i>Elizabeth Dale</i>	7
2 What's Done and Undone: Colonial American Legal History, 1700–1775 <i>Sally E. Hadden</i>	26
3 1775–1815 <i>Ellen Holmes Pearson</i>	46
4 The Antebellum Era Through Civil War <i>Alfred L. Brophy</i>	67
5 Beyond Classical Legal Thought: Law and Governance in Postbellum America, 1865–1920 <i>Roman J. Hoyos</i>	86
6 American Legal History, 1920–1970 <i>Christopher W. Schmidt</i>	105
Part II Individuals and Groups	125
7 Native Americans <i>Christian McMillen</i>	127

8	African Americans in Slavery <i>Thomas J. Davis</i>	152
9	African Americans in Freedom <i>James Campbell</i>	171
10	Women's Legal History <i>Felice Batlan</i>	190
11	Families <i>David S. Tanenhaus</i>	209
12	Who Belongs? Immigrants and the Law in American History <i>Allison Brownell Tirres</i>	228
13	The Legal Profession <i>Mark E. Steiner</i>	247
	Part III Subject Areas	267
14	Law and the Economy of Early America: Markets, Institutions of Exchange, and Labor <i>Christine Desan</i>	269
15	Law and the Economy in the United States, 1820–2000 <i>Harwell Wells</i>	289
16	Law and Labor in the Nineteenth and Twentieth Centuries <i>Deborah Dinner</i>	308
17	Siting the Legal History of Poverty: Below, Above, and Amidst <i>Felicia Kornbluh and Karen Tani</i>	329
18	Taxes <i>Robin L. Einhorn</i>	349
19	Law and the Administrative State <i>Joanna L. Grisinger</i>	367
20	Law and Religion <i>Steven K. Green</i>	387
21	Legal History and the Military <i>Elizabeth L. Hillman</i>	406
22	Criminal Law and Justice in America <i>Elizabeth Dale</i>	422
23	Intellectual Property <i>Steven Wilf</i>	441
	Part IV Legal Thought	461
24	Law and Literature <i>Jeannine Marie DeLombard</i>	463

25	Legal Thought from Blackstone to Kent and Story <i>Steven J. Macias</i>	484
26	American Jurisprudence in the Nineteenth and Early Twentieth Centuries <i>James D. Schmidt</i>	506
27	Critical Legal Studies <i>John Henry Schlegel</i>	524
28	The International Context: An Imperial Perspective on American Legal History <i>Clara Altman</i>	543
	Index	562