

Chapter 1 : Jonathan Lurie (Author of William Howard Taft)

*Law and the nation, (Borzoj books in law and American society) [Jonathan Lurie] on calendrierdelascience.com *FREE* shipping on qualifying offers.*

It was built by Martin Van Buren , who assembled a cadre of politicians in every state behind war hero Andrew Jackson of Tennessee. Jacksonian democracy cartoon shows the Democratic Party as donkey The spirit of Jacksonian democracy animated the party from the early s to the s, shaping the Second Party System , with the Whig Party the main opposition. After the disappearance of the Federalists after and the Era of Good Feelings " , there was a hiatus of weakly organized personal factions until about " , when the modern Democratic Party emerged along with its rival the Whigs. The new Democratic Party became a coalition of farmers, city-dwelling laborers and Irish Catholics. The Democrats represented a wide range of views but shared a fundamental commitment to the Jeffersonian concept of an agrarian society. They viewed the central government as the enemy of individual liberty. The " corrupt bargain " had strengthened their suspicion of Washington politics. They believed that government intervention in the economy benefited special-interest groups and created corporate monopolies that favored the rich. They sought to restore the independence of the individual " the artisan and the ordinary farmer " by ending federal support of banks and corporations and restricting the use of paper currency , which they distrusted. He exercised the veto more than all previous presidents combined. Jackson and his supporters also opposed reform as a movement. Reformers eager to turn their programs into legislation called for a more active government. But Democrats tended to oppose programs like educational reform mid the establishment of a public education system. They believed, for instance, that public schools restricted individual liberty by interfering with parental responsibility and undermined freedom of religion by replacing church schools. He had no sympathy for American Indians , initiating the removal of the Cherokees along the Trail of Tears. Democrats opposed elites and aristocrats, the Bank of the United States and the whiggish modernizing programs that would build up industry at the expense of the yeoman or independent small farmer. Democrats strongly favored"and Whigs opposed"expansion to new farm lands, as typified by their expulsion of eastern American Indians and acquisition of vast amounts of new land in the West after The party favored the war with Mexico and opposed anti-immigrant nativism. Both Democrats and Whigs were divided on the issue of slavery. In the s, the Locofocos in New York City were radically democratic, anti-monopoly and were proponents of hard money and free trade. At this time, labor unions were few and some were loosely affiliated with the party. Many of the policies of Jackson had repercussions while Van Buren held office, such as the Trail of Tears. The policies enacted during Jackson came into full swing during Van Buren, who oversaw the displacement of thousands of Native Americans. In addition to this, Van Buren was anti-slavery and represented a divide in both parties. Despite this, he did almost nothing to help the abolitionist movement and his presidency saw a continuation of pro-slavery legislation. The Whigs nominated William Henry Harrison as their candidate for the presidential race. Harrison won as the first President of the Whigs. However, he died in office a month later and was succeeded by his Vice President John Tyler. Tyler had recently left the Democrats for the Whigs and thus his beliefs did not align much with the Whig Party. This allowed for the Democrats to retake power in Presidency of James K. Polk " [edit] Foreign policy was a major issue in the s as war threatened with Mexico over Texas and with Britain over Oregon. Democrats strongly supported Manifest Destiny and most Whigs strongly opposed it. The election was a showdown, with the Democrat James K. Polk narrowly defeating Whig Henry Clay on the Texas issue. Most Democrats were wholehearted supporters of expansion, whereas many Whigs especially in the North were opposed. On the other hand, many Democrats feared industrialization the Whigs welcomed. A major cause of the defeat was that the new Free Soil Party , which opposed slavery expansion, split the Democratic Party, particularly in New York, where the electoral votes went to Taylor. Democrats in Congress passed the Compromise of designed to put the slavery issue to rest while resolves issued involving territories gained following the War with Mexico. However, in state after state the Democrats gained small but permanent advantages over the Whig Party, which finally collapsed in , fatally weakened by division on slavery and nativism. The fragmented

opposition could not stop the election of Democrats Franklin Pierce in and James Buchanan in Douglas confronted President Buchanan in a furious battle for control of the party. Douglas finally won, but his nomination signaled defeat for the Southern wing of the party and it walked out of the convention and nominated its own presidential ticket. Led by Stephen A. Douglas, James K. Polk, Franklin Pierce and New York financier August Belmont, this faction explains, broke with the agrarian and strict constructionist orthodoxies of the past and embraced commerce, technology, regulation, reform and internationalism. They endorsed the "market revolution" and promoted capitalism. They called for Congressional land grants to the states, which allowed Democrats to claim that internal improvements were locally rather than federally sponsored. Young America claimed that modernization would perpetuate the agrarian vision of Jeffersonian democracy by allowing yeomen farmers to sell their products and therefore to prosper. They tied internal improvements to free trade, while accepted moderate tariffs as a necessary source of government revenue. They supported the Independent Treasury the Jacksonian alternative to the Second Bank of the United States not as a scheme to quash the special privilege of the Whiggish monied elite, but as a device to spread prosperity to all Americans. The conflict was papered over at the and conventions by selecting men who had little involvement in sectionalism, but they made matters worse. Nichols explains why Franklin Pierce was not up to the challenges a Democratic president had to face: As a national political leader Pierce was an accident. He was honest and tenacious of his views but, as he made up his mind with difficulty and often reversed himself before making a final decision, he gave a general impression of instability. Kind, courteous, generous, he attracted many individuals, but his attempts to satisfy all factions failed and made him many enemies. In carrying out his principles of strict construction he was most in accord with Southerners, who generally had the letter of the law on their side. He failed utterly to realize the depth and the sincerity of Northern feeling against the South and was bewildered at the general flouting of the law and the Constitution, as he described it, by the people of his own New England. At no time did he catch the popular imagination. His inability to cope with the difficult problems that arose early in his administration caused him to lose the respect of great numbers, especially in the North, and his few successes failed to restore public confidence. He was an inexperienced man, suddenly called to assume a tremendous responsibility, who honestly tried to do his best without adequate training or temperamental fitness. It established that settlers in Kansas Territory could vote to decide to allow or not allow slavery. Thousands of men moved in from North and South with the goal of voting slavery down or up and their violence shook the nation. A major re-alignment took place among voters and politicians, with new issues, new parties and new leaders. The Whig Party dissolved entirely. The demands were to support slavery outside the South. Southerners insisted that full equality for their region required the government to acknowledge the legitimacy of slavery outside the South. The Southern demands included a fugitive slave law to recapture runaway slaves; opening Kansas to slavery; forcing a pro-slavery constitution on Kansas; acquire Cuba where slavery already existed; accepting the Dred Scott decision of the Supreme Court; and adopting a federal slave code to protect slavery in the territories. President Buchanan went along with these demands, but Douglas refused and proved a much better politician than Buchanan, though the bitter battle lasted for years and permanently alienated the Northern and Southern wings. The Republicans in now had a majority in most, but not all of the Northern states and it had practically no support South of the Mason-Dixon line. The formation of the new short-lived Know-Nothing Party allowed the Democrats to win the presidential election of Most Democrats in the North rallied to Senator Douglas, who preached "Popular Sovereignty" and believed that a Federal slave code would be undemocratic. The Republicans claimed that the Northern Democrats, including Doughfaces such as Pierce and Buchanan, as well as advocates of popular sovereignty such as Stephen A. Douglas and Lewis Cass, were all accomplices to Slave Power. The Republicans argued that slaveholders all of them Democrats had seized control of the federal government and were blocking the progress of liberty. Douglas in Virginia, a man deposited the ticket issued by the party in the official ballot box In, the Democrats were unable to stop the election of Republican Abraham Lincoln, even as they feared his election would lead to civil war. The Democrats split over the choice of a successor to President Buchanan along Northern and Southern lines: This fracturing of the Democrats left them powerless. Douglas campaigned across the country calling for unity and came in second

in the popular vote, but carried only Missouri and New Jersey. Breckinridge carried 11 slave states, coming in second in the Electoral vote, but third in the popular vote. No party politics were allowed in the Confederacy, whose political leadership, mindful of the welter prevalent in antebellum American politics and with a pressing need for unity, largely viewed political parties as inimical to good governance and as being especially unwise in wartime. Consequently, the Democratic Party halted all operations during the life of the Confederacy. After the attack on Fort Sumter, Douglas rallied Northern Democrats behind the Union, but when Douglas died the party lacked an outstanding figure in the North and by an anti-war peace element was gaining strength. The most intense anti-war elements were the Copperheads. Many former Democrats became Republicans, especially soldiers such as generals Ulysses S. Grant and John A. President of Ulysses S. Grant. Regardless, war hero Ulysses S. Grant led the Republicans to a landslide in 1868 and Hayes. This section is empty. You can help by adding to it. August President of James A. President of Chester A. Arthur. The Democrats lost consecutive presidential elections from 1876 through 1888, which was in dispute and did not win the presidency until 1892. The nationwide depression of 1893 allowed the Democrats to retake control of the House in the Democratic landslide. From 1896 to 1900, the "Solid South" voted Democratic in presidential elections except in 1896. After 1896, a victory in a Democratic primary was tantamount to election because the Republican Party was so weak in the South. In the election of 1900, Grover Cleveland, the reforming Democratic Governor of New York, won the Presidency, a feat he repeated in 1904, having lost in the election of 1896. They represented business interests, supported banking and railroad goals, promoted laissez-faire capitalism, opposed imperialism and U.

Chapter 2 : What social factors influenced American women writers of the period ? | eNotes

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Originally a secret, ritualistic society organized by Philadelphia garment workers, it was open to all workers, including African Americans, women, and farmers. The Knights grew slowly until they succeeded in facing down the great railroad baron, Jay Gould, in a strike. Within a year, they added 100,000 workers to their rolls, far more than the thin leadership structure of the Knights could handle. Rather than open its membership to all, the AFL, under former cigar-makers union official Samuel Gompers, focused on skilled workers. His objectives were "pure and simple": As such, Gompers helped turn the labor movement away from the socialist views earlier labor leaders had espoused. The AFL would gradually become a respected organization in the U.S. In the Great Railroad Strike in 1877, railroad workers across the nation went on strike in response to a 10 percent pay cut. Attempts to break the strike led to bloody uprisings in several cities. The Haymarket Riot took place in 1886, when an anarchist allegedly threw a bomb at police dispersing a strike rally at the McCormick Harvesting Machine Company in Chicago. By 1890, membership had plummeted to fewer than 100,000, then faded away. As a result, the National Guard was called in to guard the plant; non-union workers were hired and the strike broken. The Homestead plant completely barred unions until 1892. The shutdown of rail traffic meant the virtual shutdown of the entire national economy, and President Grover Cleveland acted vigorously. He secured injunctions in federal court, which Eugene Debs and the other strike leaders ignored. Cleveland then sent in the Army to stop the rioting and get the trains moving. The strike collapsed, as did the ARU. The most militant working class organization of the "Gilded Age" era was the Industrial Workers of the World (IWW), formed largely in response to abysmal labor conditions in 1892, the year before its founding, 27 workers were killed on the job [51] and discrimination against women, minorities, and unskilled laborers by other unions, particularly the AFL. Openly calling for class warfare, direct action, workplace democracy and "One Big Union" for all workers regardless of sex, race or skills, [53] the Wobblies gained many adherents after they won a difficult textile strike commonly known as the "Bread and Roses" strike in Lawrence, Massachusetts. They proved ineffective in managing peaceful labor relations and members dropped away. But according to historian Howard Zinn, "the IWW became a threat to the capitalist class, exactly when capitalist growth was enormous and profits huge. Gilded Age The "Gilded Age" that was enjoyed by the topmost percentiles of American society after the recovery from the Panic of 1893 floated on the surface of the newly industrialized economy of the Second Industrial Revolution. It was further fueled by a period of wealth transfer that catalyzed dramatic social changes. It created for the first time a class of the super-rich "captains of industry", the "robber barons" whose network of business, social and family connections ruled a largely White Anglo-Saxon Protestant social world that possessed clearly defined boundaries. A Tale of Today, employing the ironic difference between a "gilded" and a Golden Age. James Garfield, the Republican candidate, won a very close election, but a few months into his administration was shot by a disgruntled public office seeker. Garfield was succeeded by his VP Chester Arthur. Reformers, especially the "Mugwumps" complained that powerful parties made for corruption during the Gilded Age or "Third Party System". Voter enthusiasm and turnout during the period "Gilded Age" was very high, often reaching practically all men. The major issues involved modernization, money, railroads, corruption, and prohibition. National elections, and many state elections, were very close. The presidential election saw a mudslinging campaign in which Republican James G. Blaine was defeated by Democrat Grover Cleveland, a reformer. He also expanded civil services and vetoed many private pension bills. Many people were worried that these issues would hurt his chances in the election. When they expressed these concerns to Cleveland, he said "What is the use of being elected or reelected, unless you stand for something? The rapid growth was made possible by high levels of immigration. New York and other large cities of the East Coast became home to large Jewish, Irish, and Italian populations, while many Germans and Central Europeans moved to the Midwest, obtaining jobs in industry and mining. They found economic

opportunity at factories, mines and construction sites, and found farm opportunities in the Plains states. While most immigrants were welcomed, Asians were not. Many Chinese had been brought to the west coast to construct railroads, but unlike European immigrants, they were seen as being part of an entirely alien culture. Most, however, permanently left their native lands and stayed in hope of finding a better life in the New World. This desire for freedom and prosperity led to the famous term, the American Dream. Religion[edit] The Third Great Awakening was a period of renewal in evangelical Protestantism from the late s to the s. A major component was the Social Gospel Movement, which applied Christianity to social issues and gained its force from the Awakening, as did the worldwide missionary movement. New groupings emerged, such as the Holiness movement and Nazarene movements, and Christian Science. The Catholics were largely working class and concentrated in the industrial cities and mining towns, where they built churches, parochial schools, and charitable institutions, as well as colleges. They avoided the Reform synagogues of the older German Jews and instead formed Orthodox and Conservative synagogues. Starting in the end of the s, African Americans lost many of the civil rights obtained during Reconstruction and became increasingly subject to racial discrimination. Increased racist violence, including lynchings and race riots , lead to a strong deterioration of living conditions of African Americans in the Southern states. Jim Crow laws were established after the Compromise of Many decided to flee for the Midwest as early as , an exile which was intensified during the Great Migration that began before World War I.

Chapter 3 : History of the United States (â€“) - Wikipedia

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This period of rapid economic growth and soaring prosperity in North and West, but not the South, saw the U. Reconstruction brought the end of slavery and citizenship for the former slaves, but their political power was later rolled back and they became second-class citizens. There was great debate about how severely the former Confederate states should be punished for leaving the Union. With the assassination of President Lincoln in , it was up to President Andrew Johnson to try to reunite former enemies. The Reconstruction Acts of laid out the process for readmitting Southern states into the Union. The Fourteenth Amendment provided former slaves with national citizenship, and the Fifteenth Amendment granted black men the right to vote. These were only the first steps, however, toward reconstructing the fragmented nation. Travel from New York to San Francisco now took six days instead of six months. The new railroads provided the opportunity for migrants to go out and take a look, with special family tickets, the cost of which could be applied to land purchases offered by the railroads. Farming the plains was indeed more difficult than back east. Water management was more critical, lightning fires were more prevalent, the weather was more extreme, and rainfall was less predictable. The fearful stayed home. The actual migrants looked beyond fears of the unknown. Their chief motivation to move west was to find a better economic life than the one they had. Farmers sought larger, cheaper and more fertile land; merchants and tradesman sought new customers and new leadership opportunities. Laborers wanted higher paying work and better conditions. With the Homestead Act providing free land to citizens and the railroads selling cheap lands to European farmers, the settlement of the Great Plains was swiftly accomplished, and the frontier had virtually ended by The South on the other hand is fighting for slavery and to cease the high tariffs. The market economy was emerging to become an influence to American culture and lifestyle; thus becoming a main cause of conflict due to its pressure from the development of self-reliant state economies, differing political views, locomotive rail-lines, trade, tariffs, and slavery. However, the north expected the South to disburse some expense, even considering that the tracks would not travel south into the Southern territory. The Southern states viewed this proposal as unfair and urged to be excluded from paying locomotive establishment. Moreover, another large conflict was the high tariffs. The North were avaricious, they sought after to pass a law on high tariffs for imported goods so as to maintain a domestic form of trade between the northern and southern states, rather than importing goods from European countries. In addition to railroad difficulties and tariffs, slavery was also a significant concern. Abraham Lincoln argued that "We have in this nation the element of domestic slavery. The Republican Party thinks it wrong - we think it is a moral, a social, and a political wrong. We think it is wrong not confining itself merely to the persons of the States where it exists, but that it is a wrong which in its tendency, to say the least, affects the existence of the whole nation. Because we think it wrong, we propose a course of policy that shall deal with it as a wrong. We deal with it as with any other wrong, insofar as we can prevent it growing any larger, and so deal with it that in the run of time there may be some promise of an end to it. Furthermore, the south viewed Congress as unfair considering northern state population and representation. For this brought forth a significant southern concern that a law could easily be created or passed due to the northern states voting power. Even larger numbers purchased lands at very low interest from the new railroads, which were trying to create markets. The railroads advertised heavily in Europe and brought over, at low fares, hundreds of thousands of farmers from Germany, Scandinavia and Britain. Despite their remarkable progress and general prosperity, 19th-century U. Along with the mechanical improvements which greatly increased yield per unit area, the amount of land under cultivation grew rapidly throughout the second half of the century, as the railroads opened up new areas of the West for settlement. In the South, Reconstruction brought major changes in agricultural practices. However, most sharecroppers were locked in a cycle of debt, from which the only hope of escape was increased planting. This led to the over-production of cotton and tobacco and thus to declining prices and decreased income , exhaustion of the soil, and increased poverty among both the landowners and tenants. Department of Agriculture, the Granges focused initially on social activities to counter the isolation most farm families

experienced. WOMEN During the early years of settlement, farm women played an integral role in assuring family survival by working outdoors. After a generation or so, women increasingly left the fields, thus redefining their roles within the family. New conveniences such as sewing and washing machines encouraged women to turn to domestic roles. The production of iron and steel rose dramatically and western resources like lumber, gold, and silver increased the demand for improved transportation. Railroad development boomed as trains moved goods from the resource-rich West to the East. Steel and oil were in great demand. All this industry produced a lot of wealth for a number of businessmen. The Gilded Age gets its name from the many great fortunes created during this period and the way of life this wealth supported. However, these lurid stories reached only a small fraction of voters; most read sober accounts of Spanish atrocities, and they called for intervention. The military was rapidly mobilized as the U. Spain considered this a wanton intervention in its internal affairs and severed diplomatic relations. War was declared on April During these years, there became a conflict between the romantics transcendentalists and the realists. People waged verbal battles over the ways that fictional characters were presented in relation in their external world. Using plot and character development, a writer stated his or her philosophy about how much control mankind had over his own destiny. For example, romantic writers such as Ralph Waldo Emerson celebrated the ability of human will to triumph over adversity. At another extreme were naturalists Stephen Crane and Frank Norris who supported the ideas of Emile Zola and the determinism movement. People left rural homes for opportunities in urban cities. At the same time, immigrants from all over the world crowded into tenements to take advantage of new urban opportunities. In the end, the sweeping economic, social, and political changes that took place in post-war life allowed American Realism to prevail. The realism of the s featured the works of Twain, Howells and James among other writers. American Realists concentrated their writing on select groups or subjects. The writing during this period was also very regional. The industrial revolution called for standardization, mass production of goods and streamlined channels of distribution. America was leaping into a new modern age and people feared that local folkways and traditions would be soon forgotten. Responding to these sentiments, realistic writers set their stories in specific American regions, rushing to capture the "local color" before it was lost. They drew upon the sometimes grim realities of everyday life, showing the breakdown of traditional values and the growing plight of the new urban poor. Additionally, their works contained regional dialects and extensive dialogue which connected well with the public. As a result, readers were attracted to the realists because they saw their own struggles in print. Conversely, the public had little patience for the slow paced narratives, allegory and symbolism of the romantic writers. According to William Dean Howells, "Realism is nothing more and nothing less than the truthful treatment of material" Carter, For example, the modern scientific revolution advocated that truth and knowledge be based on empirical data. Reinforcing that notion, the industrial revolution proclaimed that a better civil society could be built upon machinery and factory labor. Given this atmosphere, several developments occurred around the same time: In many ways, these turn of the century developments are still alive and well. With regard to contemporary literature, realism is so pervasive that it seems natural and unimportant. After all, realistic literature reflected more than mere external reality. Below are the salient points that Chase makes about realism: Characters appear in the real complexity of temperament and motive; they are in explicable relation to nature, to each other, to their social class, to their own past. Humans control their destinies; characters act on their environment rather than simply reacting to it. Renders reality closely and in comprehensive detail. Selective presentation of reality with an emphasis on verisimilitude, even at the expense of a well-made plot. Events will usually be plausible. Realistic novels avoid the sensational, dramatic elements of naturalistic novels and romances. Class is important; the novel has traditionally served the interests and aspirations of an insurgent middle class. Realism is viewed as a realization of democracy. The morality of Realism is intrinsic, integral, relativistic " relations between people and society are explored. Realists were pragmatic, relativistic, democratic and experimental. The purpose of writing is to instruct and to entertain. The use of symbolism is controlled and limited; the realists depend more on the use of images. Objectivity in presentation becomes increasingly important: Realism of James and Twain critically acclaimed in the twentieth century; Howellsian realism fell into disfavor as part of an early twentieth century rebellion against the "genteel tradition. Insistence upon and defense of "the

experienced commonplace". Character more important than plot. Attack upon romanticism and romantic writers. Emphasis upon morality often self-realized and upon an examination of idealism. Concept of realism as a realization of democracy. The philosophy of Realism is known as "descendental" or non-transcendental. Realists were pragmatic, relativistic, democratic, and experimental. The subject matter of Realism is drawn from "our experience," - it treated the common, the average, the non-extreme, the representative, the probable.

Chapter 4 : Expanding Nation () - Three Eleven American Literature

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Law and the Nation, , (New York: Alfred A. Knopf,), reprinted Arming Military Justice--Origins of the United States Court of Military Appeals, Volume I of the Official History of this Court, (Princeton: Princeton University Press, I).