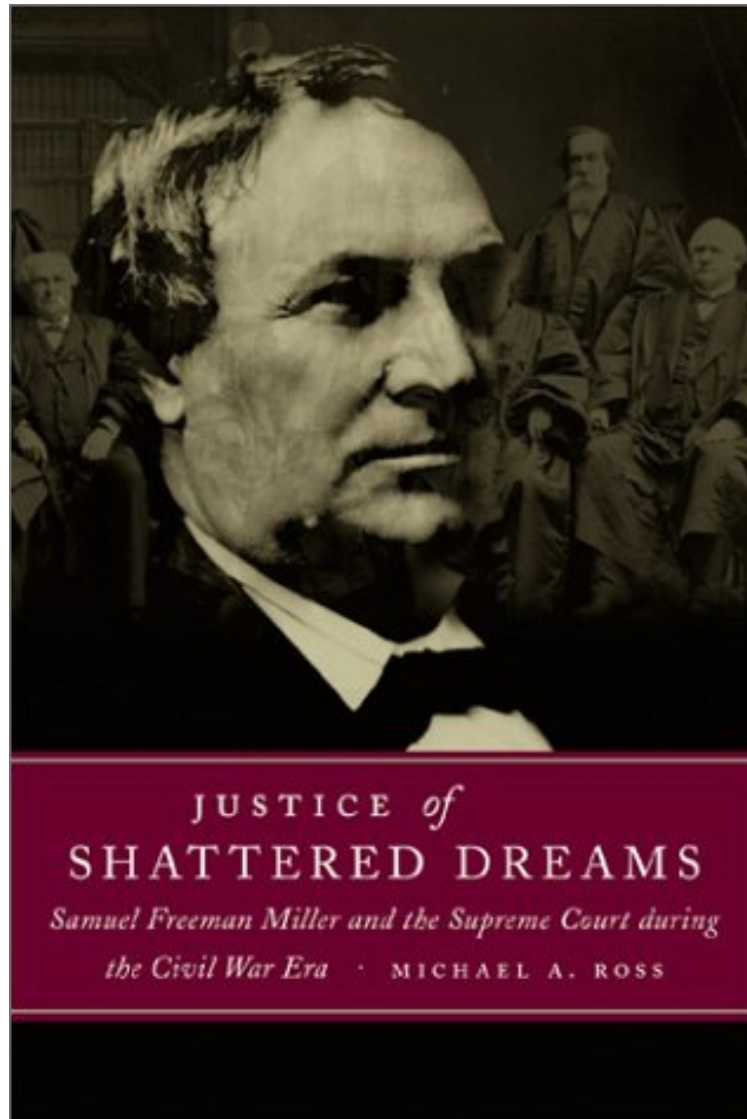


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Justice of Shattered Dreams: Samuel Freeman Miller and the Supreme Court during the Civil War Era (Conflicting Worlds: New Dimensions of the American Civil War)

Michael A. Ross

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Michael A. Ross : Justice of Shattered Dreams: Samuel Freeman Miller and the Supreme Court during the Civil War Era (Conflicting Worlds: New Dimensions of the American Civil War) before purchasing it in order to gage whether or not it would be worth my time, and all praised Justice of Shattered Dreams: Samuel Freeman Miller

and the Supreme Court during the Civil War Era (Conflicting Worlds: New Dimensions of the American Civil War):

24 of 24 people found the following review helpful. More than a biography of Miller
By Libri Classici
Justice of Shattered Dreams is a well-balanced blend of history, law, economics and biography. The author provides a succinct and well-written summary of such topics as popular sovereignty, the tension over the Kansas/Nebraska issue, the recalcitrance of the South during Reconstruction, and the legal battles between capitalist bondholders and small town populists. Ross, who has a J.D. from Duke, provides insightful legal summaries of Dred Scott, Ex Parte Merryman, the Prize cases, Ex parte Milligan, the Legal Tender cases, as well as the Slaughterhouse cases for which Miller is most remembered. Ross's analysis of Ex Parte Milligan resonates today vis-a-vis the legal arguments over the status of the internees at Guantanamo Bay. There is just enough legal analysis to explain the theory of the decisions without overpowering the non-lawyer reader, and just enough facts to convey the essence of the case and its background. The book is interesting because it is not a true biography of a Supreme Court justice. It blends the economic background and the societal tensions that were present during Miller's lifetime. Additionally, Ross makes some very good points on Reconstruction and reinforces why Reconstruction, in some ways, was just as decisive as slavery in fracturing the country - a legacy that continues today much to the dismay of the modern Democratic party. Ross's analysis of how railroads and railroad bridges destroyed the small western towns is very informative; again, Ross provides a good, cogent synopsis of an economic issue. Overall, this is an interesting and informative book that ties together divergent strands of history and presents a cohesive snapshot of our country between the 1850's and 1870's.
1 of 1 people found the following review helpful. Good Read
By Customer
Excellent biography of a forgotten but important member of the Supreme Court.
0 of 3 people found the following review helpful. Free soilers fought the Civil War, railroads won it
By roxanne feline
A contemporary of Lincoln, born on a Kentucky farm that he hated, Miller first became a doctor in the Cumberland Gap and then a lawyer in an Iowa river town, careers that required little formal training in those times. Despite having owned a few slaves in Kentucky, he was a follower of Henry Clay, he became a free soil Republican and a strong abolitionist. However, he got on the wrong side of technology twice (steam boats, railroads), and managed not to enrich himself in the Gilded Age. Appointed to the Supreme Court because of his strong support for Lincoln and pro-Union stance, his views became increasingly anachronistic with the course of the law and society. It was interesting to learn the real impact of "internal improvements" in the years before the Civil War. It was also interesting to see how the growth of railroads became litigious (although I already had some idea from Lincoln's legal career). The Supreme Court in those years when the Court was held in low repute due to the Dred Scott decision and was still acting as a court of error correction was very different from today's jurisprudential approach to big issues. Overall, Ross fails to overcome the dullness of his subject. He devotes significant effort to the Slaughterhouse Cases, which Miller authored, showing that that decision was not meant to weaken the 14th Amendment but rather to prevent it from being used to protect the "natural" rights of the recrudescing Southern planters. There are probably a lot of perspectives from which to view the Court's handling of civil rights and constitutional law cases in the second half of the 19th Century, but Miller never overcomes his lack of education and failure to appreciate the growth of industrial society, so he doesn't serve as a good guide to the times.

Appointed by Abraham Lincoln to the U.S. Supreme Court during the Civil War, Samuel Freeman Miller (1816--1890) served on the nation's highest tribunal for twenty-eight tumultuous years and holds a place in legal history as one of the Court's most influential justices. Michael A. Ross creates a colorful portrait of a passionate man grappling with the difficult legal issues arising from a time of wrenching social and political change. He also explores the impact President Lincoln's Supreme Court appointments made on American constitutional history. Best known for his opinions in cases dealing with race and the Fourteenth Amendment, particularly the 1873 Slaughter-House Cases, Miller has often been considered a misguided opponent of Reconstruction and racial equality. In this major reinterpretation, Ross argues that historians have failed to study the evolution of Miller's views during the war and explains how Miller, a former slaveholder, became a champion of African Americans' economic and political rights. He was also the staunchest supporter of the Court of Lincoln's controversial war measures, including the decision to suspend such civil liberties as habeas corpus. Although commonly portrayed as an agrarian folk hero, Miller in fact initially foresaw and embraced a future in which frontier and rivertown settlements would bloom into thriving metropolises. The optimistic vision grew from the free-labor ideology Miller brought to the Iowa Republican Party he helped found, one that celebrated ordinary citizens' right to rise in station and riches. Disillusioned by the eventual failure of the boomtowns and repelled by the swelling coffers of eastern financiers, corporations, and robber barons, Miller became an insistent judicial voice for western Republicans embittered and marginalized in the Gilded Age. The first biography of Miller since 1939, this welcome volume draws on Miller's previously unavailable papers to shed new light on a man who saw his dreams for America shattered but whose essential political and social values, as well as his personal integrity, remained intact.

"This splendid biography of an eminent Supreme Court Justice humanizes its subject and provides a lucid analysis of

the political and economic context as well as juridical reasoning of the Supreme Court rulings during the Civil War and Reconstruction....This book will greatly enhance our understanding of the era."About the AuthorMichael A. Ross was previously a corporate attorney and is now an associate professor of history at the University of Maryland. He is the author of several award-winning articles on Samuel Miller's Supreme Court career.