

Declaring Rights A Brief History With Documents

Selected by Choice magazine as an Outstanding Academic Book for 1999 Born of a shared revulsion against the horrors of the Holocaust, the Universal Declaration of Human Rights has become the single most important statement of international ethics. It was inspired by and reflects the full scope of President Franklin Roosevelt's famous four freedoms: "the freedom of speech and expression, the freedom of worship, the freedom from want, and the freedom from fear." Written by a UN commission led by Eleanor Roosevelt and adopted in 1948, the Declaration has become the moral backbone of more than two hundred human rights instruments that are now a part of our world. The result of a truly international negotiating process, the document has been a source of hope and inspiration to thousands of groups and millions of oppressed individuals.

Provides a historically grounded examination of the original meaning of the 2nd Amendment and an interpretation of the rights it safeguards (or doesn't) in the light of that historical understanding./div

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Questions about the original meaning of the Bill of Rights remain a source of active concern and controversy in the twenty-first century. In order to help students consider the intentions of the first Constitutional amendments and the significance of declaring rights, Jack Rakove traces the tradition and describes the deliberations from which the Bill of Rights emerged.

By tracing the theoretical genealogy of such ideas as reason, natural and historical rights, the individual, nation, and the state, Lubica U?ník argues that we need to come to terms with the conceptual framework of the Enlightenment in order to understand the relationship between nationalism and liberalism. The author claims that the foundation of our knowledge is embedded in the modern concept of the individual. She argues that there are two different models of individualism. One is predicated on the mechanistic universe of causation and defined by the idea of negative liberty; the other theorises the individual as relational and hence social. These two conceptions of the individual are tied to different concepts of rights. The idea of nation is likewise contained in the notion of the individual. Once again, there are two possible approaches. Using the example of the splitting of Czecho-Slovakia, the concept of historical right theorised by the German Historical School of Recht is elaborated. After the First World War, the idea of natural right, as advanced by the Treaty of Versailles promised a sense of legality to all nations living in Central Eastern Europe. Now two concepts - natural right and historical right - provide a basis for the claim of each nation to its own state. The complexity of the political situation in Europe after 1989 thus has to be interpreted differently.

In this fresh look at liberty and freedom in the Revolutionary era from the perspective of black Americans, Woody Holton recounts the experiences of

slaves who seized freedom by joining the British as well as those — slave and free — who served in Patriot military forces. Holton's introduction examines the conditions of black American life on the eve of colonial independence and the ways in which Revolutionary rhetoric about liberty provided African Americans with the language and inspiration for advancing their cause. Despite the rhetoric, however, most black Americans remained enslaved after the Revolution. The introduction outlines ways African Americans influenced the course of the Revolution and continued to be affected by its aftermath. Amplifying these themes are nearly forty documents — including personal narratives, petitions, letters, poems, advertisements, pension applications, and images — that testify to the diverse goals and actions of African Americans during the Revolutionary era. Document headnotes and annotations, a chronology, questions for consideration, a selected bibliography, and index offer additional pedagogical support.

Co-author of the groundbreaking *Empire and Multitude*, Michael Hardt examines the Declaration of Independence and other texts by Jefferson, arguing that his powerful concept of democracy provides a biting critique of the current American administration. Introducing this collection of Jefferson's writings, Michael Hardt makes a powerful case for re-examining the foundational writings of this American revolutionary in order to reignite the dialogue that first conceived of a "land of the free."

Uses contemporary documents to explore the history of the first ten amendments to the U.S. Constitution, the British traditions on which they were based, and their impact on American society.

In this extraordinary work of cultural and intellectual history, Professor Hunt grounds the creation of human rights in the changes that authors brought to literature, the rejection of torture as a means of finding out truth, and the spread of empathy over the centuries.

The SAGE Handbook of Human Rights will comprise a two volume set consisting of more than 50 original chapters that clarify and analyze human rights issues of both contemporary and future importance. The Handbook will take an interdisciplinary approach, combining work in such traditional fields as law, political science and philosophy with such non-traditional subjects as climate change, demography, economics, geography, urban studies, mass communication, and business and marketing. In addition, one of the aspects of mainstreaming is the manner in which human rights has come to play a prominent role in popular culture, and there will be a section on human rights in art, film, music and literature. Not only will the Handbook provide a state of the art analysis of the discipline that addresses the history and development of human rights standards and its movements, mechanisms and institutions, but it will seek to go beyond this and produce a book that will help lead to prospective thinking.

This book examines the most recent trends in the constitutional and legal regulations in all Latin American countries regarding the amparo proceeding. It analyzes the regulations of the seventeen amparo statutes in force in Latin

America, as well as the regulation on the amparo guarantee established in Article 25 of the American Convention of Human Rights.

Americans have been claiming and defending rights since long before the nation achieved independence. But few Americans recognize how profoundly the nature of rights has changed over the past three hundred years. In *The Nature of Rights at the American Founding and Beyond*, Barry Alan Shain gathers together essays by some of the leading scholars in American constitutional law and history to examine the nature of rights claims in eighteenth-century America and how they differed, if at all, from today's understandings. Was America at its founding predominantly individualistic or, in some important way, communal? Similarly, which understanding of rights was of greater centrality: the historical "rights of Englishmen" or abstract natural rights? And who enjoyed these rights, however understood? Everyone? Or only economically privileged and militarily responsible male heads of households? The contributors also consider how such concepts of rights have continued to shape and reshape the American experience of political liberty to this day. Beginning with the arresting transformation in the grounding of rights prompted by the American War of Independence, the volume moves through what the contributors describe as the "Founders' Bill of Rights" to the "second" Bill of Rights that coincided with the Civil War, and ends with the language of rights erupting from the horrors of the Second World War and its aftermath in the Cold War. By asking what kind of nation the founding generation left us, or intended to leave us, the contributors are then able to compare that nation to the nation we have become. Most, if not all, of the essays demonstrate that the nature of rights in America has been anything but constant, and that the rights defended in the late eighteenth century stand at some distance from those celebrated today. Contributors: Akhil Reed Amar, Yale University * James H. Hutson, Library of Congress * Stephen Macedo, Princeton University * Richard Primus, University of Michigan * Jack N. Rakove, Stanford University * John Phillip Reid, New York University * Daniel T. Rodgers, Princeton University * A. Gregg Roeber, Pennsylvania State University * Barry Alan Shain, Colgate University * Rogers M. Smith, University of Pennsylvania * Leif Wenar, University of Sheffield * Gordon S. Wood, Brown University

ABOUT THE BOOK *Revolutionaries: A New History of the Invention of America* adds an interesting twist to the format of writing a nonfiction book on the nation's founding period. Author Jack Rakove tells a personalized tale from the perspective of America's founding fathers as private individuals turned public figures during the forefront of the revolutionary revolt against British colonial rule. The book focuses on the period from 1773 to 1792 and highlights many historical household names and lesser-known contributors to America's invention. **MEET THE AUTHOR** Joe Taglieri is a freelance journalist and musician (drum set and Latin percussion instruments) in Los Angeles. He has written on a range of subjects for a variety of publications since the 1990s. Taglieri's forte is writing about governmental and economic issues, and he has a keen interest in sports and the arts, most notably music, television and film. He holds a

degree in print journalism from the University of Southern California and has studied, taught and performed via the drum set for nearly 25 years and has done the same with Latin percussion instruments such as conga and bongo drums, cajon and timbales for more than 15 years. The book is an extremely detailed, objective look at the personal evolution that men such as Washington, Adams, Jefferson, Franklin and many others went through as they became historical figures. Revolutionaries provides a compelling look at how Washington became a lauded military strategist, Franklin and Jefferson became skilled diplomats, Hamilton and Madison became shrewd governmental architects. The book also details the advent of the American legal system. EXCERPT FROM THE BOOK John Adams seemed destined for a life as a relatively small-time Massachusetts attorney. However, the aftermath of the 1773 Boston Tea Party and a spate of political crises within the colonies in the 1760s transitioned Adams from private to public life. As Rakove states, Few...lives were more enlarged than that of John Adams, the deacons son who would soon be received at the courts of Versailles and St. James, the plain-speaking advocate who rarely allowed discretion to get the better part of polemical valor. John Dickinson was a Pennsylvania lawyer from a wealthy family who was educated in England. He wrote an anonymous letter which contributed a great deal to shape the colonists arguments against Parliaments taxes via the Stamp Act and Townshend duties. Rakove notes, When the crisis of empire broke in 1774, Dickinson supported the radical measures that the Continental Congress was driven to adopt, while longing for reconciliation with the mother country he still loved. Dickinson wrote home while he was a student in London. His letters reveal a marked culture gap between native Britons and the kings American subjects. Ravkove expounds upon his letters stating, In perhaps his most interesting letter, Dickinson reflected on the damage that youthful exposure to slavery had inflicted on his colonial acquaintances. The passions of pride, selfishness, peevishness, violence, anger, meanness, revenge and cruelty that young Americans learned from owning and commanding slaves unfitted them to deal with their social equals, much less their superiors, in England, where the first lesson a person learns is he is nothing. Buy a copy to keep reading! CHAPTER OUTLINE Jack Rakove's Revolutionaries: A New History of the Invention of America + Introduction + About the Author + Overall Summary + Chapter-by-Chapter Commentary & Summary + ...and much more Jack Rakove's Revolutionaries: A New History of the Invention of America

James Madison: Philosopher, Founder, and Statesman presents fresh scholarship on the philosophical statesman who served as the nation's fourth president and who is often called both the father of the U.S. Constitution and the father of the Bill of Rights. These essays by historians and political scientists from the United States and abroad focus on six distinct aspects of Madison's life and work: his personality and development as a statesman; his work at the Constitutional Convention of 1787 and contributions to larger constitutional design; his advocacy for the adoption of the Bill of Rights; his controversial role as a party leader; his presidency; and his life after leaving office. James Madison continues to be regarded as one of America's great political theorists, a man who devoted his life to, and who found fulfill- ment in, public service. His philosophical contributions remain vital to any understanding of the modern American polity. This book will be of great interest to political scientists and theorists, as well as to historians of early American history and politics.

Online Library Declaring Rights A Brief History With Documents

This new edition of *Democracy in America* makes Tocqueville's classic nineteenth-century study of American politics, society, and culture available — finally! — in a brief and accessible version. Designed for instructors who are eager to teach the work but reluctant to assign all 700 plus pages, Kammen's careful abridgment features the most well-known chapters that by scholarly consensus are most representative of Tocqueville's thinking on a wide variety of issues. A comprehensive introduction provides historical and intellectual background, traces the author's journey in America, helps students unpack the meaning behind key Tocquevillian concepts like "individualism," "equality," and "tyranny of the majority," and discusses the work's reception and legacy. Newly translated, this edition offers instructors a convenient and affordable option for exploring this essential work with their students. Useful pedagogic features include a chronology, questions for consideration, a selected bibliography, illustrations, and an index.

"A must-own title." —National Review Online *American Conservatism: An Encyclopedia* is the first comprehensive reference volume to cover what is surely the most influential political and intellectual movement of the past half century. More than fifteen years in the making—and more than half a million words in length—this informative and entertaining encyclopedia contains substantive entries on those persons, events, organizations, and concepts of major importance to postwar American conservatism. Its contributors include iconic patriarchs of the conservative and libertarian movements, celebrated scholars, well-known authors, and influential movement activists and leaders. Ranging from "abortion" to "Zoll, Donald Atwell," and written from viewpoints as various as those which have informed the postwar conservative movement itself, the encyclopedia's more than 600 entries will orient readers of all kinds to the people and ideas that have given shape to contemporary American conservatism. This long-awaited volume is not to be missed.

England's Glorious Revolution is a fresh and engaging examination of the Revolution of 1688-1689, when the English people rose up and deposed King James II, placing William III and Mary II on the throne. Steven Pincus's introduction explains the context of the revolution, why these events were so stunning to contemporaries, and how the profound changes in political, economic, and foreign policies that ensued make it the first modern revolution. This volume offers 40 documents from a wide array of sources and perspectives including memoirs, letters, diary entries, political tracts, pamphlets, and newspaper accounts, many of which are not widely available. Document headnotes, questions for consideration, a chronology, a selected bibliography, and an index provide further pedagogical support.

An engaging illustrated history of feminism from antiquity through third-wave feminism, featuring Sappho, Mary Magdalene, Mary Wollstonecraft, Sojourner Truth, Simone de Beauvoir, and many others. The history of feminism? The right to vote, Susan B. Anthony, Gloria Steinem, white pantsuits? Oh, but there's so much more. And we need to know about it, especially now. In pithy text and pithier comics, *A Brief History of Feminism* engages us, educates us, makes us laugh, and makes us angry. It begins with antiquity and the early days of Judeo-Christianity. (Mary Magdalene questions the maleness of Jesus's inner circle: "People will end up getting the notion you don't want women to be priests." Jesus: "Really, Mary, do you always have to be so negative?") It continues through the Middle Ages, the Early Modern period, and the Enlightenment

("Liberty, equality, fraternity!" "But fraternity means brotherhood!"). It covers the beginnings of an organized women's movement in the nineteenth century, second-wave Feminism, queer feminism, and third-wave Feminism. Along the way, we learn about important figures: Olympe de Gouges, author of the "Declaration of the Rights of Woman and the Female Citizen" (guillotined by Robespierre); Flora Tristan, who linked the oppression of women and the oppression of the proletariat before Marx and Engels set pen to paper; and the poet Audre Lorde, who pointed to the racial obliviousness of mainstream feminism in the 1970s and 1980s. We learn about bourgeois and working-class issues, and the angry racism of some American feminists when black men got the vote before women did. We see God as a long-bearded old man emerging from a cloud (and once, as a woman with her hair in curlers). And we learn the story so far of a history that is still being written.

Declaring Rights A Brief History with Documents Bedford/St. Martin's

Not only did the Declaration announce the entry of the United States onto the world stage, it became the model for other countries to follow. This unique global perspective demonstrates the singular role of the United States document as a founding statement of our modern world.

A history of the American Constitution's formative decades from a preeminent legal scholar When the US Constitution won popular approval in 1788, it was the culmination of thirty years of passionate argument over the nature of government. But ratification hardly ended the conversation. For the next half century, ordinary Americans and statesmen alike continued to wrestle with weighty questions in the halls of government and in the pages of newspapers. Should the nation's borders be expanded? Should America allow slavery to spread westward? What rights should Indian nations hold? What was the proper role of the judicial branch? In *The Words that Made Us*, Akhil Reed Amar unites history and law in a vivid narrative of the biggest constitutional questions early Americans confronted, and he expertly assesses the answers they offered. His account of the document's origins and consolidation is a guide for anyone seeking to properly understand America's Constitution today.

George Mason was a short, bookish man who was a friend and neighbor of athletic, broad-shouldered George Washington. Unlike Washington, Mason has been virtually forgotten by history. But this new biography of forgotten patriot George Mason makes a convincing case that Mason belongs in the pantheon of honored Founding Fathers. Trained in the law, Mason was also a farmer, philosopher, botanist, and musician. He was one of the architects of the Declaration of Independence, an author of the Bill of Rights, and one of the strongest proponents of religious liberty in American history. In fact, both Thomas Jefferson and James Madison may have been given undue credit for George Mason's own contributions to American democracy.

"Why," an exasperated Jonathan Edwards asked, "can't we be contented with. . . the canon of Scripture?" Edwards posed this query to the religious enthusiasts of his own generation, but he could have just as appropriately put it to people across the full expanse of early American history. In the minds of her critics, Anne Hutchinson's heresies threatened to produce "a new Bible." Ethan Allen insisted that a revelation which spoke to every circumstance of life would require "a Bible of monstrous size." When the African-American prophetess Rebecca Jackson embarked on a spiritual journey toward Shakerism, she dreamt of a home in which she could find multiple

books of scripture. Orestes Brownson explained to his skeptical contemporaries that the idea drawing him to Catholicism was the prospect of an "ever enlarging volume" of inspiration. Early Americans of every color and creed repeatedly confronted the boundaries of scripture. Some fought to open the canon. Some worked to keep it closed. *Sacred Borders* vividly depicts the boundaries of the biblical canon as a battleground on which a diverse group of early Americans contended over their differing versions of divine truth. Puritans, deists, evangelicals, liberals, Shakers, Mormons, Catholics, Seventh-day Adventists, and Transcendentalists defended widely varying positions on how to define the borders of scripture. Carefully exploring the history of these scriptural boundary wars, Holland offers an important new take on the religious cultures of early America. He presents a colorful cast of characters—including the likes of Franklin and Emerson along with more obscure figures—who confronted the intellectual tensions surrounding the canon question, such as that between cultural authority and democratic freedom, and between timeless truth and historical change. To reconstruct these sacred borders is to gain a new understanding of the mental world in which early Americans went about their lives and created their nation.

The culture wars have distorted the dramatic story of how Americans came to worship freely. Many activists on the right maintain that the United States was founded as a "Christian nation." Many on the left contend that the First Amendment was designed to boldly separate church and state. Neither of these claims is true, argues *Beliefnet.com* editor in chief Steven Waldman. With refreshing objectivity, Waldman narrates the real story of how our nation's Founders forged a new approach to religious liberty.

Founding Faith vividly describes the religious development of five Founders. Benjamin Franklin melded the Puritan theology of his youth and the Enlightenment philosophy of his adulthood. John Adams's pungent views on religion stoked his revolutionary fervor and shaped his political strategy. George Washington came to view religious tolerance as a military necessity. Thomas Jefferson pursued a dramatic quest to "rescue" Jesus, in part by editing the Bible. Finally, it was James Madison who crafted an integrated vision of how to prevent tyranny while encouraging religious vibrancy. The spiritual custody battle over the Founding Fathers and the role of religion in America continues today. Waldman at last sets the record straight, revealing the real history of religious freedom to be dramatic, unexpected, paradoxical, and inspiring.

Thomas Paine's *Common Sense* is one of the most important and often assigned primary documents of the Revolutionary era. This edition of the pamphlet is unique in its inclusion of selections from Paine's other writings from 1775 and 1776 — additional essays that contextualize *Common Sense* and provide unusual insight on both the writer and the cause for which he wrote. The volume introduction includes coverage of Paine's childhood and early adult years in England, arguing for the significance of personal experience, environment, career, and religion in understanding Paine's influential political writings. The volume also includes a glossary, a chronology, 12 illustrations, a selected bibliography, and questions for consideration.

Habeas Corpus in Wartime unearths and presents a comprehensive account of the legal and political history of habeas corpus in wartime in the Anglo-American legal tradition. The book begins by tracing the origins of the habeas privilege in

English law, giving special attention to the English Habeas Corpus Act of 1679, which limited the scope of executive detention and used the machinery of the English courts to enforce its terms. It also explores the circumstances that led Parliament to invent the concept of suspension as a tool for setting aside the protections of the Habeas Corpus Act in wartime. Turning to the United States, the book highlights how the English suspension framework greatly influenced the development of early American habeas law before and after the American Revolution and during the Founding period, when the United States Constitution enshrined a habeas privilege in its Suspension Clause. The book then chronicles the story of the habeas privilege and suspension over the course of American history, giving special attention to the Civil War period. The final chapters explore how the challenges posed by modern warfare during the twentieth and twenty-first centuries have placed great strain on the previously well-settled understanding of the role of the habeas privilege and suspension in American constitutional law, particularly during World War II when the United States government detained tens of thousands of Japanese American citizens and later during the War on Terror. Throughout, the book draws upon a wealth of original and heretofore untapped historical resources to shed light on the purpose and role of the Suspension Clause in the United States Constitution, revealing all along that many of the questions that arise today regarding the scope of executive power to arrest and detain in wartime are not new ones.

By the end of the eighteenth century, politicians in America and France were invoking the natural rights of man to wrest sovereignty away from kings and lay down universal basic entitlements. Exactly how and when did “rights” come to justify such measures? In *On the Spirit of Rights*, Dan Edelstein answers this question by examining the complex genealogy of the rights that regimes enshrined in the American and French Revolutions. With a lively attention to detail, he surveys a sprawling series of debates among rulers, jurists, philosophers, political reformers, writers, and others who were all engaged in laying the groundwork for our contemporary systems of constitutional governance. Every seemingly new claim about rights turns out to be a variation on a theme, as late medieval notions were subtly repeated and refined to yield the talk of “rights” we recognize today. From the Wars of Religion to the French Declaration of the Rights of Man and of the Citizen to the 1948 Universal Declaration of Human Rights, *On the Spirit of Rights* is a sweeping tour through centuries of European intellectual history and an essential guide to our ways of thinking about human rights today.

In *A Short History of the United States*, National Book Award winner Robert V. Remini offers a much-needed, concise history of our country. This accessible and lively volume contains the essential facts about the discovery, settlement, growth, and development of the American nation and its institutions, including the arrival and migration of Native Americans, the founding of a republic under the Constitution, the emergence of the United States as a world power, the outbreak

of terrorism here and abroad, the Obama presidency, and everything in between. Ideal for introducing students to the conception and development of the Bill of Rights, this concise volume examines the Federalists' and Anti-Federalists' struggle over amending the Constitution while highlighting the relevance their debates have for modern-day issues. Rakove's lively narrative begins with a study of American roots in English common law, examines the heated discourse and thoughtful deliberation of the founders, and culminates with a close look at the evolution of rights distinctly American. Interspersed throughout are 25 primary documents - including letters, declarations, newspaper editorials, and debates - that embody and contextualize the issues. Also included are extensive gloss notes, a chronology, questions for consideration, a bibliography, and an index. Foundations of Public Law offers an account of the formation of the discipline of public law with a view to identifying its essential character, explaining its particular modes of operation, and specifying its unique task. Building on the framework first outlined in *The Idea of Public Law* (OUP, 2003), the book conceives public law broadly as a type of law that comes into existence as a consequence of the secularization, rationalization and positivization of the medieval idea of fundamental law. Formed as a result of the changes that give birth to the modern state, public law establishes the authority and legitimacy of modern governmental ordering. Public law today is a universal phenomenon, but its origins are European. Part I of the book examines the conditions of its formation, showing how much the concept borrowed from the refined debates of medieval jurists. Part II then examines the nature of public law. Drawing on a line of juristic inquiry that developed from the late sixteenth to the early nineteenth centuries-extending from Bodin, Althusius, Lipsius, Grotius, Hobbes, Spinoza, Locke and Pufendorf to the later works of Montesquieu, Rousseau, Kant, Fichte, Smith and Hegel-it presents an account of public law as a special type of political reason. The remaining three Parts unpack the core elements of this concept: state, constitution, and government. By taking this broad approach to the subject, Professor Loughlin shows how, rather than being viewed as a limitation on power, law is better conceived as a means by which public power is generated. And by explaining the way that these core elements of state, constitution, and government were shaped respectively by the technological, bourgeois, and disciplinary revolutions of the sixteenth century through to the nineteenth century, he reveals a concept of public law of considerable ambiguity, complexity and resilience.

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