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Reconstruire La Justice

Cherryl Walker



Reconstruire La Justice:

Transitional Justice and Rule of Law Reconstruction Padraig McAuliffe, 2013-06-26 This short and accessible book is the first to focus exclusively on the inter relation between transitional justice and rule of law reconstruction in post conflict and post authoritarian states In so doing it provides a provocative reassessment of the various tangled relationships between the two fields exploring the blind spots contradictions and opportunities for mutually beneficial synergies in practice and scholarship between them Though it is commonly assumed that transitional justice for past human rights abuses is inherently conducive to restoring the rule of law differences in how both fields conceptualise the rule of law the scope of transition and obligations to citizens have resulted in divergent approaches to transitional criminal trial international criminal law restorative justice and traditional justice mechanisms Adopting a critical comparative approach that assesses the experiences of post authoritarian and post conflict polities in Latin America Asia Europe and Africa undergoing transitional justice and justice sector reform simultaneously it argues that the potential benefits of transitional justice are exaggerated and urges policy makers to rebalance the compromises inherent in transitional justice mechanisms against the foundational demands of rule of law reconstruction This book will be of interest to scholars in the fields of transitional justice rule of law legal pluralism and peace building concerned by the failure of transitional justice to leave a positive legacy to the justice system of the states where it operates This is a bold and nuanced scrutiny of the international system s approach to transitional justice and the much vaunted rule of law project Dr McAuliffe should be congratulated for this well researched book which should be a must read for not only scholars and researchers in transitional justice and peace and conflict studies but also policy makers in the international system Dr Hakeem O Yusuf Senior Lecturer University of Strathclyde and author of *Transitional Justice Judicial Accountability and the Rule of Law*

Reconstruction and the Arc of Racial (in)Justice Julian Maxwell Hayter, George R. Goethals, 2018-01-26 This collection of original essays and commentary considers not merely how history has shaped the continuing struggle for racial equality but also how backlash and resistance to racial reforms continue to dictate the state of race in America Informed by a broad historical perspective this book focuses primarily on the promise of Reconstruction and the long demise of that promise It traces the history of struggles for racial justice from the post US Civil War Reconstruction through the Jim Crow era the Civil Rights and Voting Rights decades of the 1950s and 1960s to the present day

Toward Racial Justice and a Third Reconstruction Bob Wing, 2018 This collection of his always insightful writings from the last two decades allows us to trace recent challenges of left movements and to reflect on how we defeat Trump and the ultra right he has emboldened in the years to come Angela Y Davis Distinguished Professor Emerita History of Consciousness and Feminist Studies University of California Santa Cruz Bob Wing s *Toward Racial Justice* is crucial reading for social justice organizers and movement leaders especially in this most consequential period of U S history Anthony Thigpenn President California Calls In these incisive original essays Bob Wing applies the hard won lessons of his five

decades in organizing to offer us powerful paths forward Jeff Chang author *We Gon Be Alright* Notes on Race and Resegregation This book is a critical resource for anyone seeking to make desperately needed change Andrea Mercado Executive Director New Florida Majority

The Reconstruction Justice of Salmon P. Chase Harold Melvin Hyman, 1997 The demise of the Confederacy left a legacy of legal arrangements that raised fundamental and vexing questions regarding the legal rights and status of former slaves and the status of former Confederate states As Harold Hyman shows few individuals had greater impact on resolving these difficult questions than Salmon P Chase chief justice of the United States Supreme Court from 1865 to 1873 Hyman argues that in two cases *In Re Turner* 1867 and *Texas v White* 1869 Chase combined his abolitionist philosophy with an activist jurisprudence to help dismantle once and for all the deposed machineries of slavery and the Confederacy In these cases Chase sought to consolidate the gains of the Civil War era while demonstrating that the war had both preserved the precious core characteristics of the federal union of states and fundamentally improved the nature of both private and public law *In Re Turner* was a private law case decided at the federal circuit level It involved a black woman s claim that she a recent slave was being held in involuntary servitude Elizabeth Turner s mother had apprenticed Elizabeth to their former master who had not abided by his contractual obligations to provide Elizabeth with training and compensation substantively keeping her in slavery Chase s decision which relied upon due process and equal protection implications in the thirteenth amendment and 1866 Civil Rights Act confirmed the rights of emancipated slaves to bargain and contract with employers on a parity with white workers *Texas v White* was a public law case decided in the Supreme Court It revolved around the issue of whether the holders of U S bonds seized and sold by the Confederate state of Texas could demand payment after the war from that state s newly reconstructed government In effect Chase and his associate justices were asked to determine the legality of actions committed by all former Confederate states and thus to define what constituted a state Chase s opinion reaffirmed the Union s permanence and that of the constituent states in the federal union and the states duty to respect the legal rights and obligations of all citizens because states were people as well as acreages and institutions Hyman s exemplary analysis of these cases reveals how their political legal and constitutional aspects were so inextricably interwoven They secured for Chase a rostrum for both moral and legal reform from which he asserted his strong views on the fundamental rights of individuals and states in an era of sporadically increasing federal power Hyman s study provides a much needed reevaluation of those cases both in the context of Chase s life and in terms of their mark on history

Human Rights, Transitional Justice, and the Reconstruction of Political Order in Latin America Michelle Frances Carmody, 2018-04-27 In Argentina and elsewhere in Latin America decades after the fall of authoritarian regimes in the 1970s transitional justice has proven to be anything but transitional it has become a cornerstone of state policy and a powerful tool of state formation Contextualizing cultural and political shifts in Argentina after the 1976 military coup with comparisons to other countries in the Southern Cone Michelle Frances Carmody argues that incorporating human

rights practices into official policy became a way for state actors to both build the authority of the state and manage social conflict a key aim of post Cold War democracies By examining the relationship between transitional justice and the Latin American political order this book illuminates overlooked dimensions of state formation in the age of human rights *Land, Memory, Reconstruction, and Justice* Cherryl Walker, 2010-08-17 In South Africa land is one of the most significant and controversial topics Land restitution has been a complex multidimensional process that has failed to meet the expectations with which it was initially launched in 1994 Land Memory Reconstruction and Justice brings together a wealth of topical material and case studies by leading experts in the field who present a rich mix of perspectives from politics sociology geography social anthropology law history and agricultural economics The collection addresses both the material and the symbolic dimensions of land claims in rural and urban contexts and explores the complex intersection of issues confronting the restitution program from the promotion of livelihoods to questions of rights identity and transitional justice *Justice of the Peace and Local Government Review*, 1905

Justice Deferred Orville Vernon Burton, Armand Derfner, 2021-05-31 In the first comprehensive account of the Supreme Court's race related jurisprudence a distinguished historian and a renowned civil rights lawyer scrutinize a legacy too often blighted by racial injustice Discussing nearly 200 cases in historical context the authors show the Court can still help fulfill the nation's promise of equality for all The Reconstruction Conference of the National Popular Government League National Popular Government League, 1919

Justice of Shattered Dreams Michael A. Ross, 2003-09-01 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 Rethinking the Judicial Settlement of Reconstruction Pamela

Brandwein,2011-02-21 American constitutional lawyers and legal historians routinely assert that the Supreme Court s state action doctrine halted Reconstruction in its tracks But it didn t Rethinking the Judicial Settlement of Reconstruction demolishes the conventional wisdom and puts a constructive alternative in its place Pamela Brandwein unveils a lost jurisprudence of rights that provided expansive possibilities for protecting blacks physical safety and electoral participation even as it left public accommodation rights undefended She shows that the Supreme Court supported a Republican coalition and left open ample room for executive and legislative action Blacks were abandoned but by the president and Congress not the Court Brandwein unites close legal reading of judicial opinions some hitherto unknown sustained historical work the study of political institutions and the sociology of knowledge This book explodes tired old debates and will provoke new ones

Reconstruction in the United States David Lincove,2000-01-30 The only comprehensive bibliography on Reconstruction this book provides the definitive guide to literature published from 1877 to 1998 In over 2 900 entries the work covers a broad range of topics including politics agriculture labor religion education race relations law family gender studies and local history It encompasses the years of the Civil War through the conclusion of the 1876 election and the end of the federal government s official role in reforming the postwar South and protecting the rights of Black citizens In detailed annotations the book covers a range of literature from scholarly and popular studies to published memoirs letters and documents as well as reference sources and teaching tools The issues of Reconstruction civil rights states rights and federal state relations racism nationalism government aid to individuals continue to be relevant today and the literature on Reconstruction is large This book provides a systematic and comprehensive bibliographic guide to that literature It is organized by topics and geographical regions and states thereby emphasizing the local diversity in the South In addition to a variety of literature it covers the relevant Supreme Court cases through 1883 provides full citations to federal acts and cases cited and includes the texts of the 13th 14th and 15th Amendments to the Constitution The book will be useful to scholars and students researching a wide range of topics in Southern history constitutional history and national politics in post Civil War United States **Principles of Social Reconstruction** Bertrand Russell,1997 Originally entitled Why Men Fight this work is generally seen as the fullest expression of Russell s political philosophy The ideas laid out here greatly contributed to Russell s fame as a social critic and anti war activist Encyclopedia of the Reconstruction Era Richard Zuczek,2006-08-30

Reconstruction sought to bring order from the tremendous social political economic physical and constitutional changes wrought by secession and the Civil War changes that included the abolition of slavery the expansion of governmental power and constitutional jurisdiction the rise of the Republican Party the explosion of northern industry and the national market and

the appearance of a social dynamism that supported struggles by new social groups for political and civil equality In American history Reconstruction is the term applied to the period 1862 1877 when the United States sought to bring order from the tremendous social political economic physical and constitutional changes wrought by secession and the Civil War The decision by eleven southern states to attempt secession and reject the national government and the decision by the federal government under President Abraham Lincoln to deny that attempt and enforce federal law unleashed forces that forever changed the American Republic These changes included the abolition of slavery the expansion of governmental power and constitutional jurisdiction the rise of the Republican Party the explosion of northern industry and the national market and the appearance of a social dynamism that supported struggles by new social groups for political and civil equality No one anticipated the totality the viciousness and the intensity of the civil war and as a result no one was prepared to deal with its consequences Topics covered include who should direct Reconstruction how the federal government treated conquered states their governments and their soldiers the role of the freed people in the new republic and how the war altered the Constitution the party system and the American economy among many others Many entries describe and analyze the lives careers and impacts of the individuals North and South black and white who shaped the course of Reconstruction including the following Ames Adelbert Bruce Blanche K Douglass Frederick Gordon John B Hancock Winfield S Howard Oliver O Pinchback Pinckney B S Revels Hiram R Sheridan Philip H Wade Benjamin F Other entries deal with broad topics and themes related to Reconstruction and its consequences including the following Abolition of Slavery Black Politicians Black Suffrage Bloody Shirt Economic Policies Race Riots Reconstruction Theories of Scandals During Reconstruction State Constitutional Conventions Violence During Reconstruction Still other entries cover a wide variety of events groups acts agencies and amendments that were part of the story of Reconstruction including the following American Indians Bureau of Refugees Freedmen and Abandoned Lands Compromise of 1877 Democratic Party Fourteenth Amendment Joint Committee on Reconstruction Loyalty Oaths Military Reconstruction Acts Stalwarts Tenure of Office Act Among the more than 270 entries are 11 that discuss the course and consequences of Reconstruction in each of the former Confederate states and 6 that discuss the outcome and significance of the presidential and key congressional elections held between 1864 and 1876 The encyclopedia also offers a timeline of Reconstruction a bibliography of print and electronic information resources a selection of primary documents a table of important dates numerous illustrations and a detailed subject index

Principles of Social Reconstruction Bertrand Russell, 1917 The Reconstruction of Religion Charles Abram Ellwood, 1922 A selected list of books in English suggested for collateral reading p 319 324

History of Reconstruction in Louisiana (through 1868) John Rose Ficklen, 1911 **A Companion to the Reconstruction Presidents, 1865 - 1881** Edward O. Frantz, 2014-03-24 A Companion to Reconstruction Presidents presents a series of original essays that explore a variety of important issues themes and debates associated with the presidencies of Andrew Johnson Ulysses S Grant and Rutherford B

Hayes Represents the first comprehensive look at the presidencies of Johnson Grant and Hayes in one volume Features contributions from top historians and presidential scholars Approaches the study of these presidents from a historiographical perspective Key topics include each president s political career foreign policy domestic policy military history and social context of their terms in office The United States of America: From the Civil War. The reconstruction era David Saville Muzzey,1924 *Reconstruction in North Carolina* Joseph Grégoire de Roulhac Hamilton,1914 Begins by looking at secession and war in North Carolina then moves to the convention of 1865 and the political and social conditions under the restored government and then the final years of reconstruction during the 1870 s

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