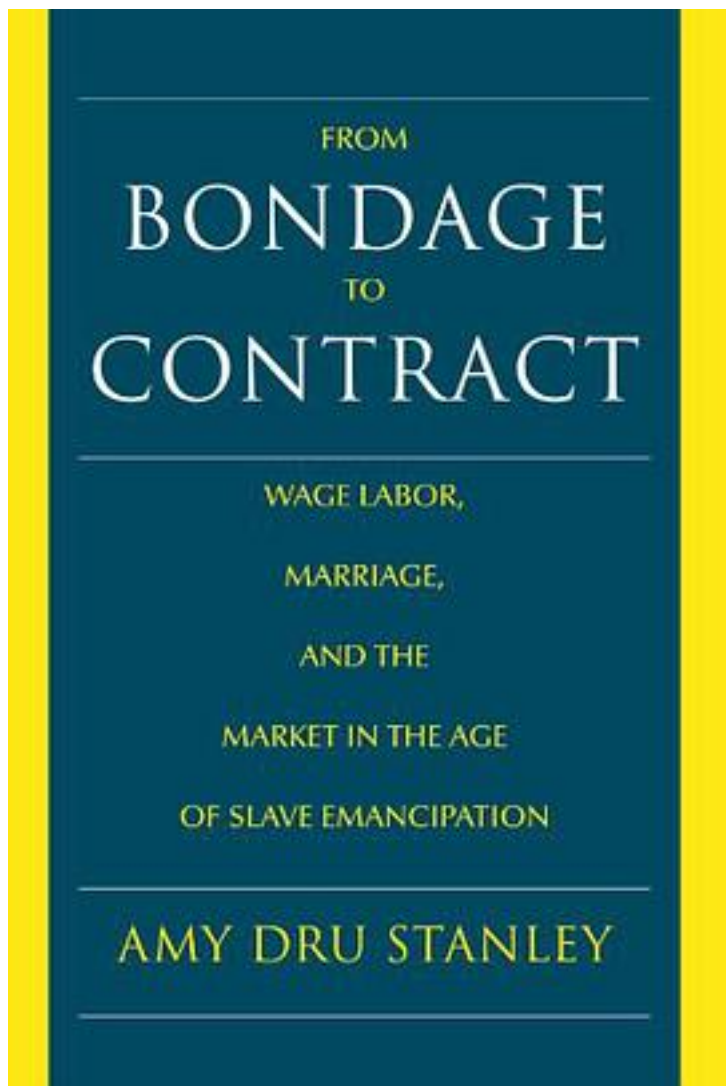


# From Bondage to Contract



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In the era of slave emancipation no ideal of freedom had greater power than that of contract. The antislavery claim was that the negation of chattel status lay in the contracts of wage labor and marriage. Signifying self-ownership, volition, and reciprocal exchange among formally equal individuals, contract became the dominant metaphor for social relations and the very symbol of freedom. This 1999 book explores how a generation of American thinkers and reformers - abolitionists, former slaves, feminists, labor advocates, jurists, moralists, and social scientists - drew on contract to condemn the evils of chattel slavery as well as to measure the virtues of free society. Their arguments over the meaning of slavery and freedom were grounded in changing circumstances of labor and home life on both sides of the Mason-Dixon line. At the heart of these arguments lay the problem of defining which realms of self and social existence could be rendered market commodities and which could not.

作者介绍:

目录:

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标签

评论

关于美国内战后已婚妇女无权签署合同的历史，性别视角看待Reconstruction时期的意识形态。有趣的点：市场合同原则沿用到黑奴解放运动中”自由“的定义；出卖自己劳力、贩卖自己身体的自由，成为无争议点，争议点在于联邦有否管辖domestic law的权力，如何保障州权，以及夫妇关系和主奴关系的异同（主要是第三十条修正案的适用范围问题）；以下逻辑的反复出现：妇女黑奴都不自由，但前者正当，“要是给了妇女自由订合同的权利，接下来是不是就轮到小孩、智障和疯子了”，或者“家庭是自由的基础，因为自由人有权获得基础的生活照料，要是女性自由了，结果就是所有人都不自由”，或者“家庭是由爱组成，所以签署婚姻合同后夫妇必须被法律视为整体；作为权宜之计的earnings statutes被部分女权主义者视为解放

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书评

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