THE MAKING OF MODERN LAW: RECORDS AND BRIEFS ON KEY ISSUES FROM THE UNITED STATES COURTS OF APPEALS, 1891–1980

A class action brought on behalf of Black children requesting the United States District Court eliminate de facto segregation in elementary and junior high schools in Springfield, MA. Springfield School Committee et al. v. Abraham Barksdale, Jr. et al., 1965, New York City Bar Association Library.

DELIVER GREATER RESEARCH OPPORTUNITIES

United States Courts of Appeals are battlegrounds for some of the most hotly debated issues in American politics and culture. In this 13th installment to The Making of Modern Law, the collection reproduces records and briefs of selected cases filed with the United States Courts of Appeals throughout the twentieth century. Covering over 500 cases, this collection concentrates on key issues that continue to occupy the American social and political landscape, such as reproductive rights, immigration policy, incarceration and the rights of prisoners, environmental policy, voting rights, and the civil rights of women and people of color.

This offering complements the 11th and 12th installments of The Making of Modern Law, whose documents were selected via a thorough review of cases cited most frequently in law journal articles. In The Making of Modern Law: Records and Briefs on Key Issues from the United States Court of Appeals, 1891–1980, cases are handpicked based on their critical importance to modern social, cultural, and economic issues that regularly occupy newspaper headlines in today’s heated political climate.
VALUE OF THE ARCHIVE

Unique Content: The collection adds to the corpus of content previously gathered in the previous two installments on the U.S. Courts of Appeals, while filling critical gaps in those collections. The key difference: case selection focuses on how well they represent critical issues in social, cultural, and political history of the United States.

Supports Researchers: Beyond the realm of legal scholarship, appellate briefs easily serve researchers across the humanities and social sciences—from sociology, economics, and political science to literature, philosophy, and religion.

Scholarly Appeal: Legal briefs offer a gold mine of information not only on legal issues but also on social, cultural, and economic matters—catering to scholars in economics, history of public health, immigration studies, law, literature, political science, psychology, religion, sociology as well as race, ethnic, Indigenous, and women’s studies.

Topical Coverage: This 13th installment offers the “forgotten history” of appellate cases on major issues, which often enforced policies that key rulings of the Supreme Court would eventually overturn—keeping the focus almost exclusively on cases that address high-interest topics.

TOPICAL COVERAGE

- Civil rights as they affect:
  - Children and students
  - Communities of color
  - Immigrants
  - Indigenous peoples
  - LGBTQ+ people
  - Political radicals
  - Prisoners
  - Religious minorities
  - Women
  - Workers
- Conservation and environmental policy
- Discrimination: racial, sexual, religious
- Free speech: free press, obscenity, right of assembly
- Health care and public safety
- Immigration, nationality, and citizenship
- National security: treason, sedition, pacifism, Communism
- Religious liberties and their limits
- Sexuality and reproductive rights: family planning, contraception, abortion
- Voting rights
SAMPLE CASES

- **Cooper v. R. J. Reynolds Tobacco Co.** (First Circuit), 1958: One of the earliest cases focused on the fraudulent public health claims of “Big Tobacco.”

- **Wertheimer v. Wynne** [Third Circuit], 1928: This case tested the freedom of worship against the limits of Prohibition-era laws.

- **Boyer v. Garrett** [Fourth Circuit], 1950: An early postwar civil rights case that contested Baltimore’s segregations of athletic fields by race.


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