Contents

Preface, vii

Introduction: The Civil War as a Regime Question, 1
Thomas W. Merrill, Alan Levine, and James R. Stoner, Jr.

Part I: The Problem

 The Later Jefferson and the Problem of Natural Rights, 27 Thomas W. Merrill

Slavery and the US Supreme Court, 48
 Keith E. Whittington

Antebellum Natural Rights Liberalism, 74
 Daniel S. Malachuk

4. Scientific Racism in Antebellum America, 98

Alan Levine

5. From Calhoun to Secession, 133

James H. Read

Part II: Hard Choices

6. Lincoln and "The Public Estimate of the Negro": From Anti-Amalgamation to Antislavery, 175

Diana J. Schaub

Why Did Lincoln Go to War?, 203
 Steven B. Smith

8. The Lincolnian Constitution, 226
Caleb Verbois

To Preserve, Protect, and Defend: The Emancipation Proclamation, 249
 W. B. Allen

10. The Case of the Confederate Constitution, 273

James R. Stoner, Jr.

Part III: Pyrrhic Victories?

11. Completing the Constitution: The Reconstruction Amendments, 293

Michael Zuckert

12. The Politics of Reconstruction and the Problem of Self-Government, 320
Philip B. Lyons

13. "A School for the Moral Education of the Nation": Frederick Douglass on the Meaning of the Civil War, 349

Peter C. Myers

14. The South and American Constitutionalism after the Civil War, 377

Johnathan O'Neill

List of Contributors, 407 Index, 411