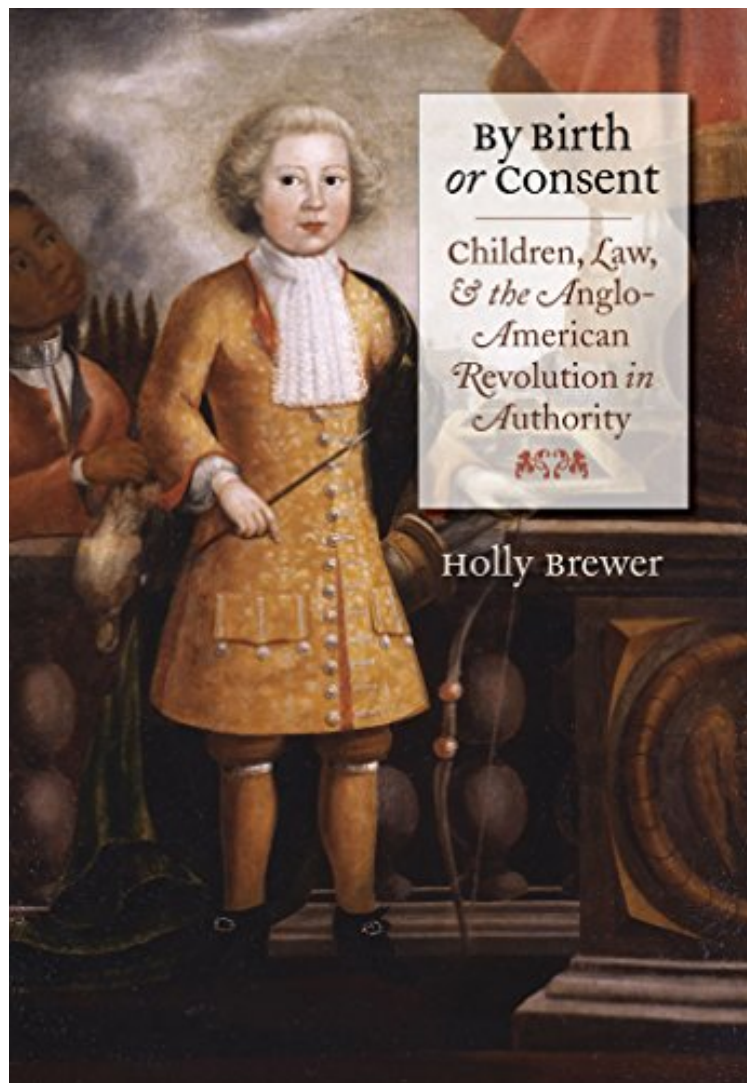


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(Published by the Omohundro Institute of Early American History and ... and the University of North Carolina Press)

By Birth or Consent: Children, Law, and the Anglo-American Revolution in Authority (Published by the Omohundro Institute of Early American History and ... and the University of North Carolina Press)

Holly Brewer

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before purchasing it in order to gauge whether or not it would be worth my time, and all praised *By Birth or Consent: Children, Law, and the Anglo-American Revolution in Authority* (Published by the Omohundro Institute of Early American History and ... and the University of North Carolina Press):

0 of 0 people found the following review helpful. *By Birth or Consent - a deep read* By Sandra K. Gorin This book is extremely detailed and a help to historians or genealogists. It is not a fast read; there's a lot of material here which is most helpful.

In mid-sixteenth-century England, people were born into authority and responsibility based on their social status. Thus elite children could designate property or serve in Parliament, while children of the poorer sort might be forced to sign labor contracts or be hanged for arson or picking pockets. By the late eighteenth century, however, English and American law began to emphasize contractual relations based on informed consent rather than on birth status. In *By Birth or Consent*, Holly Brewer explores how the changing legal status of children illuminates the struggle over consent and status in England and America. As it emerged through religious, political, and legal debates, the concept of meaningful consent challenged the older order of birthright and became central to the development of democratic political theory. The struggle over meaningful consent had tremendous political and social consequences, affecting the whole order of society. It granted new powers to fathers and guardians at the same time that it challenged those of masters and kings. Brewer's analysis reshapes the debate about the origins of modern political ideology and makes connections between Reformation religious debates, Enlightenment philosophy, and democratic political theory.

By Birth or Consent contains an illuminating account of the way that changing attitudes toward children's legal rights have influenced perceptions of authority and equality. . . . Brewer's book makes an important contribution to our understanding of the currents of thought that have shaped English and American law.--*Virginia Magazine of History and Biography* Brewer's book, *By Birth or Consent* . . . seeks to explore the political and legal foundation of the idea of informed consent that emerged during the seventeenth and eighteenth centuries. . . . The cultural implications spawned by . . . legal and philosophical developments are presented here with a certain flair and enthusiasm. Moreover, the use of court cases, county records, and other original sources helps to root [the] story about children and the law in fact.--*Times Literary Supplement* [A] thought-provoking study of a neglected and yet immensely important topic.--*Canadian Journal of History* The author of this volume has written two books, magnificently intertwined. . . . There is no doubt that Brewer's book will take a privileged place in all future accounts of childhood and political thought in the Atlantic world.--*Historian* Brewer's *By Birth of Consent* is an important legal history with ramifications for fields as disparate as family history and the history of political philosophy. . . . Crucial to our full understanding of the history of American democracy.--*The North Carolina Historical Review* [s] enormous detail regarding the role that age played in society in both Britain and the American colonies. Her focus on the role of both religion and the philosophy of government is persuasive. The book is a valuable addition to the literature for both historians and those interested in family law, and in particular those interested in the role of children in society.--*The American Journal of Legal History* Through an exploration of the fundamental shift in legal assumptions about childhood, adulthood, and individual responsibility, Brewer offers new perspective on the roiling, centuries-long fight over the meaning of consent, as articulated by Locke and others, and its place in political power and the social order.--*Journal of Colonialism and Colonial History* [A] highly original and powerfully argued book. . . . Brewer shows that questions about the nature of childhood and the powers and obligations of parents were central to the great debates among early modern religious, political, and legal thinkers over religious and political authority. Her approach yields important new insights into the origins of modern ideas about children and families, as well as the sources of modern Anglo-American political and legal thought and the limits inherent in its promise of political equality for all.--*The Journal of American History* *By Birth or Consent* is an intellectual feast; it is deeply learned and provocative.--*William and Mary Quarterly* Holly Brewer's important and prizewinning book transcends disciplinary specializations. Its portrayal of the construction of a new understanding of childhood in Revolutionary America is one that speaks to core problems in American legal history, in the history of political thought, in early modern history (American and European), and in family history. The writing is clear and vigorous, and the argument is accessible. It strikes me as being an ideal work to be assigned in advanced undergraduate courses. It offers student a model of the educated historical imagination. I have myself assigned it with great success in an undergraduate seminar in family history and in a graduate seminar in legal history. I plan to assign it in my undergraduate lecture course in American legal history the next time I teach the course.--Hendrik Hartog, Princeton University [Brewer] does a masterful job of relating debates about children's abilities and status to the transition from a society based on birth status to one of consent and contract.--*Journal of Interdisciplinary History* *By Birth or Consent* takes childhood into the domain of intellectual history and political theory. Brewer recovers a long-running debate in England and America about the meaning of consent, reason, and dependency that simultaneously illuminates the changing legal status of children and the standing of other groups. The result is a powerful and persuasive argument that challenges our understanding of American revolutionary ideology.--

Michael Grossberg, Indiana University In this strikingly original book Brewer . . . outlines the emergence of the contractual principles underlying American independence. She explains these interrelated themes with a clarity of style and a sustained intellectual vitality that will open deep avenues into the growth of a republican mentality in early American society.--J. R. Pole, St. Catherine's College, Oxford A new and provocative lens through which to view the revolution of authority in eighteenth-century Anglo-America. Readers will be rewarded with a myriad of insights into changes in such seemingly disparate areas as the nature of 'informed consent,' parental custody, marriage contracts, age awareness, the treatment of juvenile criminals, rationales for slavery, and the legal capacity of women. This remarkable book breaks much new ground.--Mary Beth Norton, Cornell University Brewer's focus on the changing legal status of children in England and British North America offers students a fascinating prism through which to understand the origins of the American political tradition. *BY BIRTH OR CONSENT* changes the way students think about the meaning of representative government, political authority, and the role of the individual in the era prior to the American Revolution." --Rosemarie Zagari, Professor of History, George Mason University First, I assign the book in my graduate reading seminar because I regard it as one of the two or three most significant works in Early American History to appear in the past decade. My goal in that seminar is to acquaint beginning graduate students in American History with the important works in the field, and for that reason alone I'd assign it. Moreover, its breadth of historical reach is such that although my seminar attracts students studying gender history, Early Modern British history, legal history, American history, and intellectual history, it has something for everyone. It affords me an exemplary work to discuss with dissertation writers, especially, in demonstrating how one combines apparently unrelated historical phenomena into a seamless account of a profound revolution that touched all aspects of social relations. Students respond uniformly in the most positive way. The book causes lightbulbs to go on on their minds. My experiences with undergraduates using the book are similar. Our students -- who are very good, indeed -- respond to the material with a sense of having discovered something about human relationships that they never had thought of." --David Thomas Konig, Professor of History and Law, Washington University in St. Louis From the Publisher Winner of the following awards: 2008 Order of the Coif Book Award, Order of the Coif 2006 James Willard Hurst Prize, Law and Society Association 2006 Cromwell Prize, American Society for Legal History