

Andrew Fede's New Book Examines Roadblocks to Freedom in Pre-Civil War South

Press Releases

01.03.2012



Andrew T. Fede, an attorney with Archer P.C. in Hackensack, N.J., has published his second book on slavery law in the pre-Civil War South. *Roadblocks to Freedom* is a comprehensive study of how Southern judges and legislators used the legal system to legitimize and accommodate slavery's social and cultural elements into the law as a way to thwart slaves' bids for freedom.

Published by Quid Pro Books, an independent academic press, *Roadblocks to Freedom* has been hailed as a "must read" for those with an interest in slavery law in America.

In *Roadblocks to Freedom*, Mr. Fede goes beyond meticulously researched historical analysis and uses his perspective as an experienced attorney to examine how societal forces shape the law, and visa versa.

"We can better appreciate our freedoms if we understand that – not too long ago – our courts and legislatures denied liberty to enslaved Americans, in some cases even after the 'owners' clearly stated their intention to free their slaves," Mr. Fede says.

The book focuses on two aspects of slavery law in the antebellum American South: freedom suits – claims to freedom asserted in the courts by people alleging they were wrongly held as slaves contrary to the law – and manumission, the action of the master voluntarily freeing a lawfully enslaved individual. Mr. Fede details how these legal means for attaining freedom actually reinforced the underpinnings of slavery.

The author writes that, “The law permitting people held in bondage to pursue freedom suits...vindicated the power of judges and legislators to decide who may be held in slavery,” while in manumission cases, “the courts did not enforce any independent right of the slave to be set free. They instead enforced the master’s right to free his or her own property.”

Roadblocks to Freedom provides a comprehensive view of how some enslaved litigants won their freedom in court – and how many others, like Dred and Harriet Scott, did not because of the substantive and procedural barriers that both judges and legislators placed in the way of people held in slavery who sought their freedom in court.

Mr. Fede draws upon three decades as a practicing attorney to consider cases and statutes not as abstract expressions of legal doctrines or principles, but as the products of conscious decisions by lawmakers and judges.

Noted historian Paul Finkelman, Professor of Law at Albany Law School in New York, calls *Roadblocks to Freedom* “the most comprehensive study of the law of manumission ever written,” while Jason A. Gillmer, Professor of Law at Gonzaga University School of Law in Spokane, Wash., lauds the book as “a must read for anyone interested in the legal history of slavery in the American South.”

“Fede’s comprehensive analysis is matched only by his careful attention to detail, painting a deeply nuanced picture of the competing social, political, economic, and legal interests at play when a slave’s potential for liberty was at stake,” Gillmer writes in a review.

Roadblocks to Freedom builds on Mr. Fede’s previous book, *People Without Rights*, first published in 1992 and republished this year. *Roadblocks to Freedom* is the latest chapter in Mr. Fede’s more than 30-year effort to understand and elucidate slavery law, an inquiry that began when he was a second-year law student at Rutgers Law School in Newark, N.J., during a seminar on law and social change taught by Professor James C. N. Paul.

Mr. Fede’s experience as a practicing attorney includes appellate practice, civil litigation, labor and employment matters, employment and other forms of discrimination, wrongful termination, municipal law, zoning and planning, real estate law, and constitutional law. An adjunct professor at Montclair State University in Upper Montclair, N.J., he lives in Bogota, N.J.

For more information and to order *Roadblocks to Freedom*, visit <http://quidprolaw.com/?p=1893>.

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