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PART I

PAUL FINKELMAN
SYMPOSIUM EDITOR

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Far from assuring the advancement of persons of African descent, the abolition of slavery prompted enactment of repressive legislation in the South and the misapplication of existing laws. It inspired a rise of terrorist acts committed with impunity and encouraged constraints to land ownership while limiting access to trades and professions. Adding to the effect of these conditions, southern state judiciaries refused and federal courts failed to challenge laws and customs denying safety or economic opportunity to the South's black population.

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Following the abolition of slavery, the continued enforceability of debts previously contracted for the purchase of slaves presented complex issues of commercial
and constitutional law. While the legal questions were argued in courts throughout the South and ultimately in the United States Supreme Court, a more fundamental debate on the politics of the issue took place in the southern state constitutional conventions that assembled in 1867-1868 pursuant to the Reconstruction Act. The policy of denying enforcement to "slave contracts" attracted the support of very different groups of southerners, and their reasons for favoring this form of debt relief were correspondingly divergent.

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**AFRICAN AMERICANS AND THE MEANING OF FREEDOM: WASHINGTON COUNTY, TEXAS AS A CASE STUDY,**

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The Reconstruction Amendments conferred freedom, citizenship, and civil and political equality on African Americans. They also had very real consequences for communities across the South because former slaves used their newly won rights to challenge white hegemony. This Article explores how African Americans in one Texas County used political power and legal rights to make the criminal justice system and public policy in general more responsive, at least for a time bringing the promise of the Reconstruction Amendments closer to realization.

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DOES HEAT EMANATE BEYOND THE THRESHOLD?: HOME INFRARED EMISSIONS, REMOTE SENSING, AND THE FOURTH AMENDMENT THRESHOLD

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Law enforcement agencies are using remote thermal imaging technology, such as Forward Looking Infrared (FLIR) systems, to analyze home infrared emissions and identify indoor marijuana growing operations. During the 1990s, several courts reached disparate results when they considered whether this practice implicated the Fourth Amendment’s prohibition against unreasonable searches. The split among the courts reflects confusion over the Supreme Court’s perplexing Fourth Amendment threshold analysis. This Note examines the evolution of the Fourth Amendment threshold test, and its application to remote sensing surveillance of American homes.