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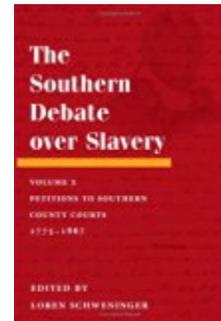
in the Humanities & Social Sciences

Loren Schwening, ed. *The Southern Debate over Slavery, Volume 2: Petitions to Southern County Courts, 1775-1867*. Urbana: University of Illinois Press, 2007. ii + 397 pp. \$60.00 (cloth), ISBN 978-0-252-03260-8.

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Published on H-CivWar (December, 2008)

Commissioned by Matthew E. Mason



Between Myth and History: Letting the Past Speak For Itself

Mainstream Americans enjoy their history in black and white. And why wouldn't they? It is normally filled with moral story lines of liberty versus tyranny that make the retelling easily understandable. Such tales also glorify their country as a monolithic empire, ordained by a supreme being that sets an example of freedom, truth, and justice to the rest of the world. Yet, in contrast, the true story of the American nation is radically different from the popular perception. The best demonstration of this adage is South Dakota's iconic Mount Rushmore where, on one side of a mountain, the busts of four U.S. presidents majestically ponder the nation they helped to create. Though these men are considered the "quintessential" Americans, they were inherently flawed individuals whose essential humanity was also at the heart of their significance.

Few subjects within the panorama of the American past have been as muddled by popular mythmaking than slavery. Since the conclusion of the Civil War—if not earlier—Americans have been taught only the inhumanity involved, which applied to every slave owner on every plantation in every instance. Since the groundbreaking 1974 book *Time On the Cross: The Economics of American Negro Slavery* by Robert Fogel and Stanley Engerman, coupled with the scholarship of Peter Kolchin and James Oakes, history has offered a much more complex historical picture. *The Southern Debate over Slavery: Volume Two – Petitions to Southern County Courts 1775-1867*, edited by Loren Schwening, Rosenthal Excellence Pro-

fessor of History at the University of North Carolina at Greensboro, does much to improve our understanding of the most controversial issue of the American past by allowing the primary sources to tell the tale.

In his introduction Schwening never allows the reader to misunderstand or misinterpret his most important axiom—that the people at the center of these petitions were assets on a ledger and, thus, subject to the same regulations that governed such personal property as farm animals or equipment. Among the best examples is the case of Kentucky plantation owner Lucien Fiemster who filed a claim insisting that a farmer pay damages of \$140,000 for failing to return to slaves he "borrowed" and kept in neighboring Arkansas (pp. 140-142). In another case, Louisiana plantation owner James Thompson sued the master of a ship for \$1,000 for stealing his property, a "quadroon slave woman Mary Jane" (pp. 194-195). Finally, there is the case of a trio of Alabama plantation owners who brought a suit against an overseer for \$1,000 in damages due to his negligence in allowing a group of slave children "to remain without any blankets or other bed clothing, to protect them from the cold of winter" (pp. 282-283). In each of these cases the word "person" never appears, only "property."

However, the most captivating aspect of this book is how the petitions chosen not only walk the reader through the legal process, but also maintain the primary focus on the nature of the plaintiff's immediate circum-

stances. Whether it was slaves arguing for their emancipation, or chipping away at the legal restraints, this aspect of the story is more a mosaic than a linear tale of history. Among the most intriguing petitions is the 1804 case of a South Carolina slave named Peggy who, due to her ability to earn the necessary funds to do so, sued for the right to buy her freedom. Another is an 1829 case in which the Louisiana slave Pressy attempted to hold his family together by demanding an “act of retrocession” that would forbid his master to sell either his children or their parents until they had reached the age of 16. Lastly, there is the 1857 case of a plantation owner who died without children and had instructed in his will that his slaves be freed, in which the slaves not only demanded that their former master’s wishes be honored, but that they each receive a sum from his estate.

In contrast, the legal matters concerning the slave masters centered primarily upon resistance and punishment which, in the end, involved violence. One disturbing petition involved a Kentucky plantation owner who sued for damages to his slave, whose worth had been lessened after being beaten with “implements of torture.” In turn, William Collins, who captured the runaway slave countersued for injuries he suffered in so doing, and also for “improper visits” made by the slave to the wife of neighbor (p. 310). Another is the 1858 petition of Ezekiel Mills who sought damages from a couple who sold him a domestic slave who “abused and inflicted great bodily pain” upon the plaintiff’s infant children (p. 328). Finally, there is an interesting 1826 petition from Charles Stewart, who sought \$2,000 in damages from Louisiana plantation owner for injuries sustained “from the assaults and wounds inflicted by the negroes” (pp. 132-133). These petitions are compelling demonstrations of the undercurrent of this collection: the measures taken to keep an entire race of people in bondage for the benefit of local and state economies. In turn, it becomes clear how such circumstance created a society that thrived on inequity, which then fostered fear of the inevitable moment when such legal restrictions no would no longer apply.

Yet, there are other petitions within this volume that provide breadth and depth to our understanding of chattel slavery in America. As a careful read of the petitions reveals, relations between owner and slave were not as simple or clear-cut as some contemporary histories would like the public to believe. It is apparent that

there were regional differences in the very nature of the cases, especially during the 1850s. In the Deep South, for example, petitioners were concerned almost exclusively with the maximum value of their chattel property and, thus, their cases focus on damages; on the other hand, those in the Upper South took the same interest in their bottom line, but their petitions include personal assessments of their slaves’ treatment and well-being. Divorce petitions between interracial couples reveal the degree of social stigma attached to such unions, which often led to serious cases of domestic cruelty. The sale of slave children was another feature of slavery, and the pain of separation was suffered by parents and children alike. Mere paragraph summations cannot do justice to these brutal realities of the system, which utterly expose the myths regarding slavery.

For Civil War historians specifically, the intricate picture of slavery presented within this volume must not be taken lightly. Popular presentations on the subject tend to be stereotypical and shaped into narratives with either/or scenarios that ultimately lack any breadth of vision or depth of understanding. Schweninger has edited this volume in a manner which allows all sides, literally, to state and defend their case and, in the process, provides historians with a multidimensional view of an issue that led to the splintering of the country along sectional lines. This is not myth, interpretation, or representation. It is a convoluted, chaotic, yet moving document of a time when human beings owned other human beings and were more than willing destroy both their nation and themselves in defense of that right. Rarely does history get more compelling than this.

The most salient aspect of the book is that the editor allows an unpleasant piece of the American past to speak for itself. These petitions involve real people under the duress of bondage attempting to free themselves from the yoke of others’ will. This volume provides the reader with insight into the true nature of the “peculiar institution” without the intrusion of intermediaries claiming possession of the key to the door the past. This reviewer highly commends the editor of this book for taking the obligatory time and care in his selections, for he has made a vital contribution to primary source scholarship. For serious scholars of both American slavery and pre-Civil War America this volume is essential.

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Citation: Michael Taylor. Review of Schweningen, Loren, ed, *The Southern Debate over Slavery, Volume 2: Petitions to Southern County Courts, 1775-1867*. H-CivWar, H-Net Reviews. December, 2008.

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