

H-Net Reviews

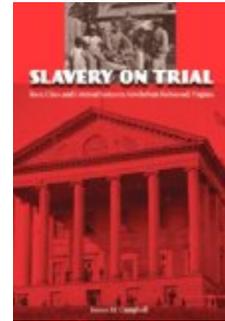
in the Humanities & Social Sciences

James M. Campbell. *Slavery on Trial: Race, Class, and Criminal Justice in Antebellum Richmond, Virginia*. Gainesville: University Press of Florida, 2007. xiii + 264 pp. \$59.95 (cloth), ISBN 978-0-8130-3091-3.

Reviewed by D. L. Turner (Arizona State University)

Published on H-Law (August, 2011)

Commissioned by Christopher R. Waldrep



Divided Justice: Slavery and Social Control in Antebellum Richmond, Virginia

As a thriving manufacturing center in the South, Richmond, Virginia was an anomaly among the nation's leading cities due to its underpinnings as an urban-industrial slave society on the eve of the Civil War.[1] Drawing from substantial numbers of slaves, free blacks, lower-class whites, and immigrants to meet its expanding labor demands, tensions created by Richmond's burgeoning and diverse population presented the city with a number of dilemmas. Among those of utmost importance were those related to crime, the maintenance of order, and traditional hierarchical racial divides. As one of a number of historians who focus on the discriminatory practices of Southern legal systems during the nation's antebellum period, James M. Campbell centers his research on a single jurisdiction. *Slavery on Trial: Race, Class, and Criminal Justice in Antebellum Richmond, Virginia* examines the development of Richmond's criminal justice institution as it evolved specifically to "support notions of white egalitarianism and herrenvolk democracy" (p. 3). Campbell argues that despite Virginia's best legal efforts to merge elite interests with the city's daily legal proceedings, criminal justice in theory and criminal justice in practice did not always reconcile with their best interests. Rather, in an urban context, race, class, and gender tensions often worked to subvert slaveholders' aims rather than to support them, as race, not status, increasingly came to determine one's legal experience.

Campbell is an American history lecturer at the University of Leicester who specializes in antebellum crime

and punishment. As part of this investigation, he examined government records ranging in dates from 1830 to 1860 to illustrate the notion that by the 1850s escalating preoccupation with black crime and violence led to increasingly restrictive legislation for Richmond's black society. These actions greatly impacted the everyday lives of this segment of the population as they were increasingly denied procedural rights and received crueler sentences than their white counterparts.

As a bottom-up history, this volume offers five thematic chapters that highlight various aspects of Richmond's criminal justice system. Campbell begins with a brief introduction that discusses the city's history and the effects of urbanization and industrialization on the development of unusual cultural practices. Early chapters detail the process through which slave masters gradually lost or relinquished the responsibility for control of their slaves to city fathers due to these labor and housing traditions, including slaves' self-hiring and ability to make independent living arrangements. As these practices became cultural norms, city police and court systems assumed increasing responsibilities for maintaining racial divisions and a hierarchical society.

Eventually allowed to travel to the city unsupervised in order to seek employment, many Richmond slaves enjoyed the ability to select their own surrogate masters and thereby dictate wages, which drew much criticism from detractors. Many claimed that these prac-

tices encouraged excessive independence, contributed to black crime, and eroded paternalistic relations between master and slave. Despite this, cultural practices persisted throughout the city's antebellum years that fostered personal autonomy as slaves learned to bargain for better working conditions and higher wages. Because many made their own living arrangements, Richmond's slaves also enjoyed greater privacy and social mobility in their personal lives. This small liberty often translated into expanded educational opportunities, the ability to build community/social support institutions such as black churches, and offered greater opportunities for escape or resistance.

Subsequent chapters highlight the social interactions that occurred between lower-class whites, immigrants, women, and free blacks in Richmond. Fear that these associations would lead to collusion or the encouragement of dissatisfaction among slaves regarding their own condition was a major concern among city leadership. As a result, city government became increasingly intrusive into the private lives of this segment of society. This tactic backfired, however, ultimately strengthening the influence of black social institutions like Richmond's African Baptist churches among the lower classes.

Slavery on Trial features various tables of criminal cases from Richmond's Hustings Court throughout the text and in the appendix. It also includes endnotes, and a bibliography. Additionally, Campbell's study dovetails neatly with broader, regional, criminal justice historical studies that also focus on race and nineteenth-century legal systems. Some of these works include Glenn M. McNair's *Criminal Injustice: Slaves and Free Blacks in Georgia's Criminal Justice System* (2009), and Christopher Waldrep's *Roots of Disorder: Race and Criminal Justice in the American South, 1817-80* (1998). Campbell's argument that "The stereotype of a lawless Old South where crime was controlled by informal mechanisms ranging from lynch mobs to slave patrols does not fit antebellum Richmond" (p. 9), also opens his work for further discussion and comparison regarding urban and rural slave experiences and police law. For example, Salley Hadden's *Slave Patrols: Law and Violence in Virginia and the Carolinas* (2001) illustrates that slaveholders' authority, whether rural or urban, was never complete but always problematic due to legal challenges posed by third parties.[2]

Although Campbell should be commended for his work, this study is drawn from fragmentary criminal court records, an unavoidable flaw which the author points out early in the book (p. 14). Readers should bear in mind that the tabulation of these types of documents over several decades often leaves numbers statistically questionable due to unknown variables and change over time. Even today, experts caution researchers in the use of statistical sources considered reliable, such as the Federal Bureau of Investigation's Uniform Crime Reports (UCR), for crime-ranking purposes or as indications of trends in law enforcement.[3] Despite this, scholars will still value the anecdotal importance of Campbell's work and gain a greater sense of the disparity found between white and black defendants during this era. Also, because Richmond's unique historic criminal justice system is sometimes confusing to students of modern criminal justice, the inclusion of brief definitions of the city's various courts and enforcement organizations in the introduction might have helped to clarify the development and duties of each agency over time.

Though questions regarding relationships between racism, slavery, and legal notions remain unsettled, *Slavery on Trial* argues convincingly that Virginia's criminal justice system functioned in an urban context as a tool of its slaveholding regime. Unveiling the problematic aspects of crime control and racial tensions in an urban-industrial setting, Campbell also successfully emphasizes the fact that these attempts at social control sometimes met with failure due to resistance created by interracial and class tensions. As a political, social, and cultural case study of the city during a critical phase of its development, *Slavery on Trial* will appeal to a variety of scholars and readers interested in the manner in which an urban-industrial setting affected the slave experience.

Notes

[1]. Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York: Oxford University Press, 1985), 75.

[2]. Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge, MA: Harvard University Press, 2001), 2.

[3]. See *Uniform Crime Reports* on the Web site of the Federal Bureau of Investigation, <http://www.fbi.gov/about-us/cjis/ucr/word>.

If there is additional discussion of this review, you may access it through the network, at:

<https://networks.h-net.org/h-law>

Citation: D. L. Turner. Review of Campbell, James M., *Slavery on Trial: Race, Class, and Criminal Justice in Antebellum Richmond, Virginia*. H-Law, H-Net Reviews. August, 2011.

URL: <http://www.h-net.org/reviews/showrev.php?id=32890>



This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.