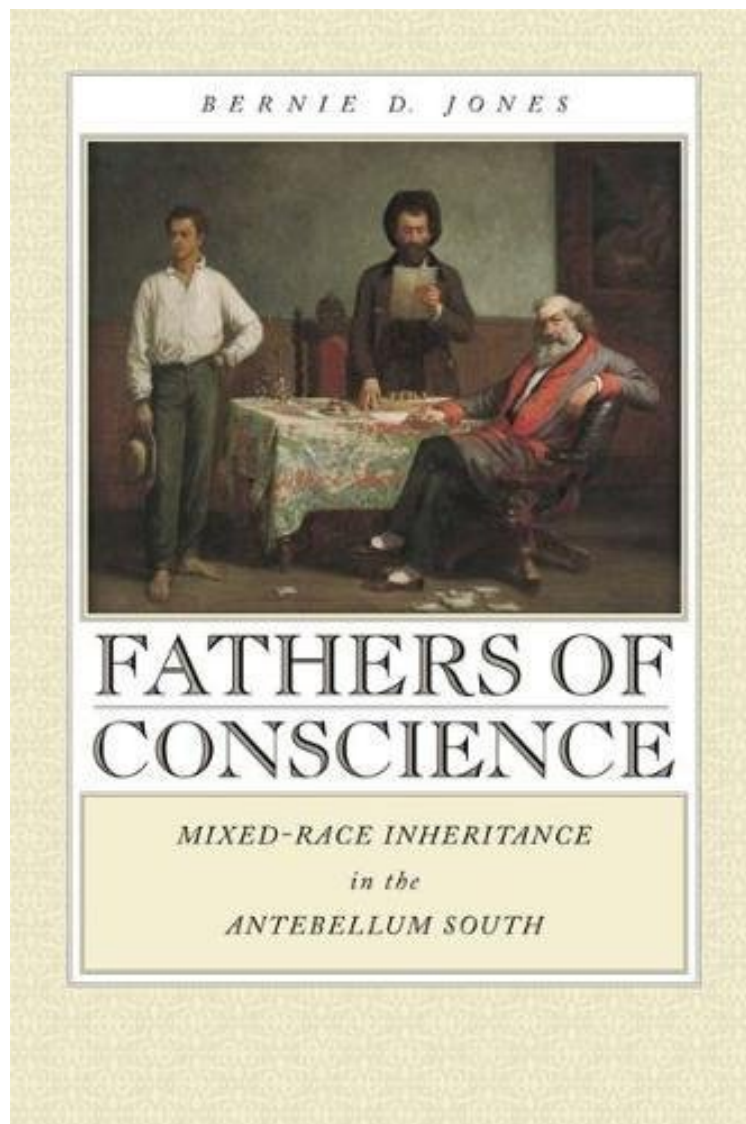


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Fathers of Conscience: Mixed-Race Inheritance in the Antebellum South (Studies in the Legal History of the South) (Studies in the Legal History of the South Ser.)

Bernie Jones

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Fathers of Conscience examines high-court decisions in the antebellum South that involved wills in which white male planters bequeathed property, freedom, or both to women of color and their mixed-race children. These men, whose wills were contested by their white relatives, had used trusts and estates law to give their slave partners and children official recognition and thus circumvent the law of slavery. The will contests that followed determined whether that elevated status would be approved or denied by courts of law. Bernie D. Jones argues that these will contests indicated a struggle within the elite over race, gender, and class issues?over questions of social mores and who was truly family. Judges thus acted as umpires after a man's death, deciding whether to permit his attempts to provide for his slave partner and family. Her analysis of these differing judicial opinions on inheritance rights for slave partners makes an important contribution to the literature on the law of slavery in the United States.

This book provides a wealth of information about conceptions of moral behavior, interracial sexual activity, and notions of family in the antebellum South. Jones has carefully mined trial court records to uncover the highly personal nature of these inheritance disputes. She has provided an insightful examination of slavery, manumission, freedom, and property rights that should have a broad appeal to scholars. (Journal of Law and History)An outstanding work that will be an important contribution to the monographic literature on the law of slavery in the United States. (Mark V. Tushnet author of Slave Law in the American South: State v. Mann in History and Literature)Fathers of Conscience provides a beautifully nuanced analysis of an extremely difficult topic, an area of law where the sexual exploitation made possible by slavery also had the potential to undermine the institution. While tracing the law's development, Jones never loses sight of the high social stakes or the humanity of those involved, using the rules of inheritance to explore the construction of power, the dynamics of race, and the complexities of personal relationships in the antebellum South. (Laura F. Edwards author of The People and Their Peace: Legal Culture and the Transformation of Inequality in the Post-Revolutionary South)Fathers of Conscience is an important contribution to the study of property, slavery, and freedom in the U.S. South. Anyone interested in law, marriage, and race in the nineteenth-century South will benefit from reading it. (Ariela Gross author of Double Character: Slavery and Mastery in the Antebellum Southern Courtroom)About the AuthorBernie D. Jones is an assistant professor in the Legal Studies department at the University of Massachusetts-Amherst.