

# Antebellum Law and Visions from a True Daughter of Albion: An Analysis of Antebellum Perceptions of Society and Law

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Personal narratives of any period occupy a unique place within the canon Literature, particularly when the subject merits examination from a variety of positions. Differing from traditional historical accounts, the narrative form depicts events so that one may witness history's development directly through the experiences of eyewitnesses. The slave narrative, as a literary and historical document, maintains significant importance because it initially departed from the traditional narrative in structure, purpose, context and authorship. In the experiences described in *Incidents in the Life of a Slave Girl*, readers are given alternate representations of public policies and societal norms present during the nineteenth-century, and the effect of these policies on female slaves. Harriet Jacobs' Narrative *Incidents in the Life of a Slave Girl depicts* the existence of a female slave vividly, displaying the psychological and social ramifications of the system itself and their place within it.

In its execution as a social, legal and economic system, slavery in the American South, and the laws governing its practice, created two societal levels of distinction, those who were dominate and those who were oppressed, through Jacobs' narrative allows readers to examine these systems with a greater level of scrutiny. While primarily an economic and social system, Southern slavery could not have flourished without legal authority. Slaves were legally defined as real property and were treated as such. Masters held complete authority over their slaves and slaves had little, if any, protection from their abuses. Asserted by the Supreme Court in *State v. Mann*, Analyses of this decision, and national and state legal systems present in the antebellum south, reveal the intricacies of the master/slave relationship.

At the age of fifteen, when first introduced Samuel Treadwell Sawyer( a United States Senator and father of each of Jacobs' children), Harriet Jacobs' perceptions of love and relationships between men and women, both black and white, had been severely tainted. At this time in the southern United States slaves marriages existed in title only, for no laws permitted matrimony among the enslaved; in fact, it was quite common to see husbands, wives and entire families separated at the whim of a slaveholder. In addition, licentious relationships between female slaves and their owners were commonplace and, if a child was produced from this relationship, the law strictly prohibited captive mothers from revealing the identity of their children's progeny no matter if their father was freedman or slave. From the prospective of Jacobs, the contradictory and sometimes confusing nature of legal codes in slave states created a breeding ground for sexual predators and, because female slaves were viewed as property rather than human beings, the law was averse to protecting them from assaults and molestations: But he was my master. I was compelled to live under the same roof with him—where I saw a man forty years my senior daily violating the most sacred of commandments of nature. He told me I was his property; that I was subject to his will in all things. My soul revolted against the mean tyranny. But where could I turn for protection? No matter if the slave girl be as black as ebony or as fair as her mistress. In either case, there is no shadow of the law to protect her from insult, from violence, or even death; all these are inflicted by friends who bear the shape of men. The mistress, who ought to protect the victim, has no other feeling toward her but jealousy and rage.

Having witnessed “several women sold, with his babies at their breast,” Jacobs was well aware of the social restrictions placed on female slaves and the punishments exerted when these restrictions were violated. When the emotional strain of living in such an environment is also taken into consideration (being aware that on any given day, at any given moment, without provocation or consent, a man could take advantage of your most sacred of possessions without fear of reprisal) one can understand Jacobs' constant state of dread while living in the Flint home.

Rape can be defined as a forced sexual encounter in which at least one party's participation is involuntary, and rape as a crime is often attributed to a single criminal; however, in the case of, Harriet Jacobs the crime can be attributed to an entire societal structure. Instead of physical force her assailant used the laws and customs of an oppressive institution to abuse her, and like most in captivity she was given no choice but to submit. In response to the almost daily verbal and emotional abuse at the hands of Doctor Norcom, Harriet—at the age of fifteen—experiences the symphony of emotions (depression, melancholy, hopelessness and despair) often experienced by victims of this crime. By learning how such laws, which seek to oppression segments of a society, are formulated humanity may decipher how to prevent their reoccurrence in the contemporary world.

Similar to examining the pre-war Germany's legal system and the horrors of the Holocaust by examining the Diary of Ann Frank, analyzing Jacobs' narrative and provides vivid images of the contradictions of antebellum law and public policy.