

The People and Their Peace: Legal Culture and the Transformation of Inequality in the Post-Revolutionary South. By Laura F. Edwards. (Chapel Hill: University of North Carolina Press, 2009. Pp. xvi, 430.)

Since Mark Tushnet revived the study of slave laws in the American South, several historians, most notably Paul Finkelman, Thomas D. Morris, and Ariela Gross, have followed in his footsteps. Laura F. Edwards's *The People and Their Peace* is a book that revises and extends this welcome trend in scholarship. Focusing on North and South Carolina from roughly 1787 to 1840, and more specifically on three North Carolina counties and four South Carolina counties during that time, Edwards situates local law in contradistinction to state law, portraying the former as polycentric and heterogeneous and the latter as centralized and homogenous. Edwards suggests that state law was more aspirational than practical in the early nineteenth-century Carolinas because it failed to inform ordinary legal practice at the local level in the same way that resident culture or custom did.

Pitting "reformers," elite individuals who sought to create a uniform and consolidated body of rules that appellate courts could enforce at the state level, against locals, the legal system, Edwards demonstrates, was first bottom-up and not top-down and law on paper or in statutes was different from law in practice. On paper or in statutes, law subordinated lower courts to appellate courts and seemed, in keeping with reformers' ideals, systematized into a unitary, integrated order that reflected the supposedly natural and inevitable unfolding of history. Reformers selectively compiled local laws and practices into lengthy works to forge the impression that law was a set of consistent, underlying principles. In practice, however, law was variable, contingent, and contextual. It emerged from the workaday and quotidian operations or practices of individuals in towns and communities. Law was therefore as messy as it was unpredictable, and it cannot be understood without knowledge of interpersonal relationships and cultural understandings in locales where courts sat. Slave codes, for instance, did not reflect realities on the ground because they were handed down by state legislatures and could not account for reputations and routines of people in local communities—people who cared less about consistency in the law or fixed principles than about their personal stake in any given legal matter.

This work is a corrective to histories interested principally in local legal sources but neglectful of the particularities that brought about these sources. It marshals evidence from legal documents—especially case

decisions, including appellate opinions—while considering why and how those documents were produced. The development of state law became increasingly important during the antebellum years. The rise in state law, privileged individual rights, standardized legal principles, and southern distinctiveness, makes sense only in a local context. Such local data reveals much about the processes, as opposed to philosophies, of law. Local law remained discretionary because it was fluid and not subject to abstract and purely notional mantras about rights.

An attention to localism affords Edwards wide latitude to consider figures like women, free blacks, the enslaved, children, and others typically marginalized by scholarship about law and legal mechanisms. Edwards succeeds in showing that law was not necessarily clearly defined or unified, and that elites sought to displace local law by replacing it with overarching state law. She deserves applause, moreover, for pointing out the institutional persistence of localism and the idiosyncrasy of verdicts about “keeping the peace,” broadly defined as maintaining order within a hierarchical community. These verdicts suggest that local communities had peculiar ideas that were comprehensible in specific contexts and that had concrete meanings often at odds with general rules at the state level.

An ancillary goal of this book is to cast the South’s legal troubles as indicative of the nation’s legal troubles. This idea fails to find convincing support in the text. Despite this shortcoming, a result of overambition rather than negligence, *The People and Their Peace* is a valuable contribution to the history of slave law in the American South.

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Moonshiners and Prohibitionists: The Battle Over Alcohol in Southern Appalachia. By Bruce E. Stewart. (Lexington: University Press of Kentucky, 2011. Pp. xii, 325.)

Spirits of Just Men: Mountaineers, Liquor Bosses, and Lawmen in the Moonshine Capital of the World. By Charles D. Thompson Jr. (Urbana: University of Illinois Press, 2011. Pp. xxix, 269.)

Appalachian myth and legend have long made the terms “moonshine” and “mountaineers” largely inseparable in the minds of many Americans. Fascinating, though typically overblown, stories and images of backward and violent jug- and gun-toting hillbillies have captivated Americans and

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