



Surprise Heirs I: Illegitimacy, Patrimonial Rights, and Legal Nationalism in Luso-Brazilian Inheritance, 1750-1821: 001

Linda Lewin

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This book situates the changing patrimonial rights of illegitimate offspring in Brazil within a system of Luso-Brazilian heirship that operated during the final half century of Portuguese colonial rule. Besides offering the first detailed explanation of how the rules of inheritance applied to people born outside wedlock, the book's focus on illegitimacy and patrimony provides a new perspective for assessing how family formation figured broadly in late colonial Brazil's social evolution.

Innovatively integrating legal history with recent research on the post-1750 history of the family in Brazil, the book reveals the significance of customary marriage and consensual cohabitation, clerical concubinage, concealed paternity, and foundling wheels for Latin American social organization. By reformulating the private law of family and inheritance, Portuguese legal nationalism transformed the juridical meaning of bastardy and anticipated the emergence of the "surprise heir," who figured so prominently in imperial Brazil's courtroom dramas and novels.



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