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Authors:	Margot Finn
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**Slaves out of Context:  
Domestic Slavery and the Anglo-Indian Family,  
c. 1780-1830**

Margot Finn (University of Warwick)

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In 1782, Alexander Craufurd of the British East India Company composed a letter to his brother, which he hoped would serve in lieu of an official will. ‘As my Disorder Continues obstinate’, Craufurd reflected from his deathbed in Chittigong, it was now timely to dispose of his worldly goods, and to secure the future welfare of his household in Bengal.<sup>1</sup> Many of the bequests made in Craufurd’s impromptu will reflect the prevailing testamentary practices of propertied men and women in eighteenth-century Britain. Like many of his compatriots at home, he chose a family member to administer his estate, appointing his brother as executor and bequeathing to him a horse and a gold watch as tokens of gratitude and fond remembrance.<sup>2</sup> Several other bequests likewise commemorated his affective ties through the disposition of personal possessions that marked his location within the governing classes and his participation in a wider

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<sup>1</sup> Will of A. Craufurd, 6 January 1782, in Oriental and India Office Collections, British Library [henceforth OIOC], L/AG/34/29/4.

<sup>2</sup> For the legal norms and conventions of will-making in this period, see *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford, 2000) and R.J. Morris, *Men, Women and Property in England, 1780-1870: A Social and Economic History of Family Strategies amongst the Leeds Middle Classes* (Cambridge, 2005), esp. 79-141.

Georgian consumer society. Craufurd's friend George Hatch thus received a gold ring and breast-pin, fashionable trinkets that signified both luxury and pleasure to eighteenth-century English consumers. His 'very Particular and Sincere friend' Thomas was willed a horse and a bayonet, while Ralph Lecke, described as 'another Sincere and particular friend of mine' was to receive a horse and Craufurd's sporting dogs in Dacca.<sup>3</sup> If these bequests mirrored the testamentary decisions of his affluent contemporaries in England, however, other provisions in his will marked Craufurd emphatically as an Anglo Indian.<sup>4</sup> To the indigenous concubine who had borne his offspring but was named in his will only as his 'Girl', Craufurd left 2,000 rupees, instructing his brother that this sum was 'for her care of my children provided that she places them...under your charge without any further trouble'.<sup>5</sup> Then, in an unnerving afterthought, Craufurd recalled that his household also included an Indian slave. 'I had almost forgot a poor Slave Boy (I never have look'd on him as such) who is a good Servant and must have his freedom [plus] 100 Rs as a provision for him', he hastily ordered in a postscript.

Together, Craufurd's belated recognition that he was a slave-owner, his assertion that he had 'never...look'd on' his slave *as* a slave, his recognition that this seeming non-

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<sup>3</sup> Comparable testamentary practices in England are detailed in, for example *Urban Fortunes: Property and Inheritance in the Town, 1700-1900*, ed. Jon Stobart and Alastair Owens (Aldershot, 2000), and Marcia Pointon, *Strategies for Showing: Women, Possession, and Representation in English Visual Culture 1665-1800* (Oxford, 1997), esp. 307-400. For the fashionable trade in metal trinkets, see Maxine Berg, *Luxury & Pleasure in Eighteenth-Century Britain* (Oxford, 2005), 154-192. The circulation of such goods as memorial objects among Anglo-Indian kin networks is discussed in Margot Finn, 'Colonial Gifts: Family Politics and the Exchange of Goods in British India, c. 1780-1820', *Modern Asian Studies*, XL (2006), 203-31.

<sup>4</sup> Throughout this paper, the term 'Anglo Indian' is used in its eighteenth- and nineteenth-century sense, to describe persons of British origin in India, rather than in its more modern sense of 'mixed-race' or 'Eurasian'.

<sup>5</sup> Provisions for Indian concubines in Anglo-Indian wills are discussed in Indrani Chatterjee, 'Colouring Subalternity: Slaves, Concubines and Social Orphans in Early Colonial India', *Subaltern Studies X* (Delhi, 1999), 49-97; Durba Ghosh, *Sex and the Family in Colonial India* (Cambridge, 2006), esp. 107-32; and

slave nonetheless required manumission, and his description of his slave-boy as a servant point to the peculiar problems—both for Anglo Indians themselves and for subsequent historians—posed by domestic slavery in British India. Like conceptions of slavery current in the Georgian era, historiographical approaches to British slavery have been dominated by an Atlantic world perspective. The Atlantic world model of slavery takes the plantation system as its norm, defines slavery as an absence of ‘freedom’, emphasises the role of slaves as chattel traded within commercial markets, underlines the use of violence as a mechanism for extracting slave labour, and highlights the status of slaves as racial ‘outsiders’.<sup>6</sup> Viewed against this received Atlantic backdrop, slavery on the Indian subcontinent appears to be an institution out of place, not only in a geographic sense, but in terms of its content, purpose and meaning.<sup>7</sup> Craufurd’s eleventh-hour bequest of freedom to an Indian domestic slave whom (he simultaneously insisted) was—conceptually, socially and affectively—not in fact a slave, alerts us to the striking differences that marked British experiences of slavery and emancipation in the Atlantic and the Indian Ocean worlds.

In this paper, I seek to reexamine British understandings of slavery in the later eighteenth and early nineteenth centuries by focusing on the practice of domestic slavery on the subcontinent under East India Company rule. Using probate records (such as

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C.J. Hawes, *Poor Relations: The Making of a Eurasian Community in British India, 1773-1833* (London, 1996).

<sup>6</sup> See for example Robin Blackburn, *The Making of New World Slavery: From the Baroque to the Modern 1492-1800* (London, 1997) and David Brion Davis, *Inhuman Bondage: The Rise and Fall of Slavery in the New World* (Oxford, 2006).

<sup>7</sup> For useful discussions of the historiographical problems posed by reliance on Atlantic World models of slavery for analysis of Indian Ocean servitude, see Gwyn Campbell, ‘Introduction: Slavery and Other Forms of Unfree Labour in the Indian Ocean World’, in *The Structure of Slavery in Indian Ocean Africa and Asia*, ed. Gwyn Campbell (London, 2004), vii-xxxii, and Richard M. Eaton, ‘Introduction’, in *Slavery and South Asian History*, ed. Indrani Chatterjee and Richard M. Eaton (Bloomington, 2006), 1-16.

Anglo-Indian wills and inventories) alongside private family letters and public documents contained in the *Parliamentary Papers*, I wish to suggest the centrality of conceptions of family, household and kin for British attitudes to slavery not only on the subcontinent but within the wider British empire. My conception of the family is inspired by a paper delivered to this Society at the University of Greenwich in 2003, in which Professor Leonore Davidoff wisely observed that ‘The large bourgeois family, in horizontal or lateral as well as vertical relationships, in extensive kin networks, played a central role in people’s lives far beyond our late twentieth-century imagination.’<sup>8</sup> Locating Indian slavery within the history of the family (rather than associating it principally with racial identity or market economics) goes against the grain of Atlantic world interpretations of the history of human bondage, but opens up alternative analytical pathways, and connects Indian slaves as historical actors to wider histories of domesticity as well as of servitude. By examining domestic slavery on the subcontinent at once as an abstract category of Enlightenment social scientific inquiry and as a social practice in which colonial Anglo Indians were fully and self-consciously implicated, I seek to shed new light as well on the sharp divergence that had emerged by the 1830s between Parliament’s normative abolitionism when contemplating West Indian slavery, and its overarching tolerance when considering instead slavery in the Britain’s Indian empire.

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Although statistical profiles of slavery and the slave trade in the Indian Ocean world lack the rigour of corresponding data for New World slavery, they nonetheless

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<sup>8</sup> Leonore Davidoff, ‘The Legacy of the Nineteenth-Century Bourgeois Family and the Wool Merchant’s Son’, *Transactions of the Royal Historical Society*, 6<sup>th</sup> ser., XIV (2004), 27. See also Naomi Tadmor,

establish the wide prevalence of human bondage in both pre-colonial and colonial South Asian polities. A multi-directional slave trade dating from before the Common Era circulated enslaved persons among and between East Africa, Arabia, the Persian Gulf, India, Indonesia, Mauritius and the Cape. Peaking only in the nineteenth century, this intercontinental export industry differed from the Atlantic slave trade not only in its racial diversity but also in its sexual composition and its age profile. Whereas male African slaves were more numerous and typically more costly than female slaves in Atlantic markets, women substantially outnumbered men in the Indian Ocean slave trade, and normally fetched higher prices upon sale.<sup>9</sup> Children, moreover, figured far more prominently in Indian Ocean than in Atlantic slavery. More readily controlled than adult males, children were often seized rather than killed by the victors of military campaigns; upon adulthood, some would gain their freedom, while others continued in servitude to their captors.<sup>10</sup> Reliable estimates of slave numbers in the Indian Ocean World in the eighteenth and nineteenth century are lacking, but perhaps 8 to 9 million Indian slaves lived in bondage in territories under East India Company rule alone as late as the 1840s, a decade after Parliament's much-touted emancipation of slaves in the British Atlantic colonies.<sup>11</sup>

On the subcontinent, slave populations were maintained not only by the importation of unfree persons from far-flung Indian Ocean markets but also by a diverse

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*Family and Friends in Eighteenth-Century England: Household, Kinship and Patronage* (Cambridge, 2001).

<sup>9</sup> Campbell, 'Introduction', esp. ix-x, xxv.

<sup>10</sup> *Ibid.*, xiii.

<sup>11</sup> William Gervase Clarence-Smith, *Islam and the Abolition of Slavery* (London, 2006), 14. For the analytical problems posed for comparative history by relative lack of statistical evidence for Indian Ocean slavery, see Indrani Chatterjee, 'Renewed and Connected Histories: Slavery and the Historiography of South Asia', in *Slavery and South Asian Society*, ed. Chatterjee and Eaton, 20.

range of Hindu and Muslim practices that created and circulated bonded populations. Two main taproots fed slavery in India prior to and during the early years of East India Company rule: the enslavement of male and female war-captives during military campaigns, and the self-sale of impoverished adults—and of children by family members—in times of dearth. Both the decline of the Mughal empire and the rise of the Company's territorial ambitions created conditions conducive to increased levels of both military and economic enslavement. Eighteenth-century British and East India Company army campaigns displaced indigenous populations and created thousands of Indian captives vulnerable to enslavement; famine conditions, exacerbated by the rigidity of the Company's administration of the Indian revenue system, likewise fostered the sale of impoverished children, women and families into slavery under British rule. Such slaves circulated within local and long-distance markets, through mechanisms that included cash transactions, tributary payments and gifting.<sup>12</sup> Contemporary British observers distinguished between two main forms of Indian slave labour in the later eighteenth- and early nineteenth-centuries. Agrestic slaves were tied to specific plots of land and employed in agricultural production. Domestic slaves, ubiquitous in both Hindu and Muslim households, performed tasks that included sweeping, cleaning, cooking and child-care; in more affluent households, domestic slaves were key symbols of their masters' power and status but also performed roles such as concubinage, accountancy and trade.<sup>13</sup> Incorporated into their owners' household units, these domestic slaves were positioned not outside society and the family but rather at the kinship end of what

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<sup>12</sup> Eaton, 'Introduction', 5.

<sup>13</sup> D. Banaji, *Slavery in British India* (Bombay, 1933); Amal Chattopadhyaya, *Slavery in Bengal Presidency 1772-1843* (London, 1977).



Suzanne Miers and Igor Kopytoff have aptly described as the ‘slavery to kinship continuum’.<sup>14</sup>

Despite their conspicuous presence in India, domestic slaves have been curiously absent from British histories of Company rule. ‘Unlike scholars of the Dutch in Southeast Asia and the Indian Ocean’, Indrani Chatterjee has observed, ‘scholars of early British and French empires in South Asia remain indifferent to complicating their “nationalist” pasts with Asian slaves.’ Chatterjee proposes that this selective historiographical amnesia derives to a substantial extent from historians’ reliance on the copious printed collections of primary sources detailing Company and government policy on the subcontinent, which were first published in the multi-volume *Parliamentary Papers on Slavery in India* from 1828 to 1841. In this interpretation, by stripping South Asian slavery of its distinctive—and distinctively domestic—markings, the *Parliamentary Papers* worked to naturalise the Atlantic World model of slavery, positioning ‘their [British] readers in an apparently universal mode of slave labor, whose contours were supposed to be the same everywhere’.<sup>15</sup>

In what follows, I read the evidence published in the *Parliamentary Papers* alongside and against manuscript sources that document slavery in British India to suggest an alternative genealogy for British historical amnesia toward slavery on the subcontinent. Focusing on domestic slavery, I identify slaves as vital members of Anglo-Indian households, persons whose conspicuous presence in social life was however undercut by their problematic position in social theory. Like servants—with whom they

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<sup>14</sup> Suzanne Miers and Igor Kopytoff, ‘African “Slavery” as an Institution of Marginality’, in *Slavery in Africa: Historical and Anthropological Perspectives*, ed. Suzanne Miers and Igor Kopytoff (Madison, 1977), 3-81.

were repeatedly compared—domestic slaves were a problem in Anglo-Indian social and political thought because they inhabited a subject position that lay at the very intersection between the family and the market.<sup>16</sup> Only by re-situating slavery within the lived social and economic life of the household, I argue here, can we understand the intellectual and political processes by which nationalist histories of British abolitionism came to exclude Indian slavery from their ambit.

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Inventories and wills, traditional tools in the armoury of historians of Atlantic world plantations, have been under-exploited in analyses of Indian domestic slavery under British rule.<sup>17</sup> In sharp contrast to the limited survival of British probate material for this period, detailed probate documentation is—thanks to the Company’s obsessive archival zeal—abundantly available for Anglo Indians who died on the subcontinent.<sup>18</sup> Thousands of inventories and wills written by Anglo Indians remain in the British Library’s archives; hundreds document the existence of domestic slaves in British households. These records provide rich information about British social life and consumer tastes in India, itemising the possession of (for example) thousands of ruffled shirts, silver teapots, hunting prints, watches, telescopes, shower-baths and dictionaries, and enumerating tens of thousands of printed volumes of poetry, fiction, history, law and

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<sup>15</sup> Chatterjee, ‘Renewed and Connected Histories’, 21, 31-32.

<sup>16</sup> For the wider history of this problem in Britain at this time, see Carolyn Steedman, *Labours Lost: Domestic Service and the Making of Modern England* (Cambridge, forthcoming 2009), chaps. 1-2.

<sup>17</sup> The chief exception is Chatterjee, ‘Colouring Subalternity’.

<sup>18</sup> For the wider role of record-keeping in the Company’s history and identity, see Miles Ogborn, *Indian Ink: Script and Print in the Making of the English East India Company* (Chicago, 2007).

political economy owned by Anglo Indians.<sup>19</sup> References to the sale of domestic slaves, although not common, are interspersed at intervals among these items in a wide variety of eighteenth-century inventories in the Company's archives. When Captain John Hunter's estate was settled in Bengal in 1782, for example, the sale of his three slaves raised over half of the inventory's total value.<sup>20</sup> Testifying to the substantial sums that Anglo Indians could invest in human property, such entries provide a forceful reminder that the British participated actively as buyers and sellers in Indian Ocean slave markets.

Laconic and indeed often gnomic, the entries in probate inventories nonetheless provide an excellent starting point for assessing the place of domestic slaves in British households in India. At one extreme are inventories that conflate Anglo Indians' domestic slaves with their household goods. Suggesting by the use (or the absence) of individual slave names and through the positioning of slave entries that these persons were mere possessions, these records mimic the stylistic conventions used in Atlantic World record systems to mark slaves emphatically as chattel.<sup>21</sup> The generic designation of 'Slave Boy' and 'Slave Girl' similarly speaks to forms of social erasure that situate these domestic slaves outside networks of family and kin.<sup>22</sup> Likewise commodified were the domestic slaves whose purchase was noted directly alongside probate sales of household goods. When Thomas Jones' executors settled his estate in Calcutta in 1776, his unnamed 'Slave Girl', who fetched 91 rupees, was listed in his probate inventory

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<sup>19</sup> See for example the evidence in the 'Colonial Possession: Personal Property and Social Identity in British India, 1780-1848' dataset, UK Data Archive SN 5254, <http://www.data-archive.ac.uk/findingData/snDescription.asp?sn=5254>.

<sup>20</sup> Inventory of Captain John Hunter, OIOC, L/AG/34/27/3.

<sup>21</sup> See esp. Walter Johnson, *Soul by Soul: Life inside the Antebellum Slave Market* (Cambridge, MA, 1999), 45-77.

between a book and a horse.<sup>23</sup> Joseph Cooper's inventory, recorded in Bengal in 1781, allowed his slaves a degree of personality by distinguishing them by name. Sold for a total sum of 260 rupees, Cooper's 'Slave Girl named Rhitta' and his 'Slave Boy named Tom' were however listed in his inventory between '3 Tubs' and '2 Peacocks'.<sup>24</sup> Even when record-keepers accorded slaves individual Anglicised forenames, their place at only the cusp of humanity could thus be signalled by their location in an inventory's list of household goods.

Domestic slaves reduced to itemised objects and sold for precise sums on open markets, however represent only one, extreme end of the spectrum of property relations recorded in Anglo-Indian probate documents. The stylistic conventions and content of most slave sales in these inventories, indeed, suggest that while British masters *could* conceptualise their Indian domestic slaves as mere marketable chattel, most chose not to do so. Far more typical than records in which domestic slave sales were recorded indiscriminately alongside the disposal of goods were documents that listed them separately at the end of the inventory, together with property such as real estate that was reserved from public auction. This usage indicates that these exchanges were set apart from the sale of household effects. When William Spencer's estate was settled in 1782, 'Mrs Spencer' purchased his unnamed 'Slave Girl' and 'Slave Boy' for one rupee each, a price so far below the market value for domestic slaves in Bengal at this time as to suggest that this was a nominal transfer between kin designed to retain the slaves within

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<sup>22</sup> Durba Ghosh, 'Decoding the Nameless: Gender, Subjectivity, and Historical Methodologies in Reading the Archives of Colonial India', in *A New Imperial History: Culture, Identity and Modernity in Britain and the Empire 1660-1840*, ed. Kathleen Wilson (Cambridge, 2004), 297-316.

<sup>23</sup> Inventory of Thomas Jones, OIOC, L/AG/34/27/3.

<sup>24</sup> Inventory of Joseph Cooper, OIOC, L/AG/34/27/2.

the domestic household, rather than a commercial transaction calculated to dispose of Spencer's property for profit on the open market.<sup>25</sup> The language and content of Mrs Spencer's subsequent will lends further credence to this interpretation. Written in 1795 when she was 'weak of Body but of sound and disposing mind', her will bequeathed diamond rings and strings of pearls to a son, grandson and granddaughter in India. It also remembered and rewarded her erstwhile Indian domestic slave. 'I give and Bequeath unto Lozia a Girl who has been brought up in my House the Sum of Sixteen Rupees after my Decease and a Gold Hair Pin...also my wearing apparrels such as Petticoats and Linnen [sic], not Shawls or other valuable Dress, and direct that one hundred Rupees be paid and payable to her on the day of her Marriage', she instructed.<sup>26</sup> Like domestic slaves in Indian households at this time, Lozia was understood by her mistress to be entitled to a settlement upon her marriage.<sup>27</sup> Like domestic servants in Britain, she was not of sufficient status to inherit 'Shawls or other valuable Dress', but nonetheless received the lesser gift of her mistress's petticoats and linen.<sup>28</sup> Occupying the uneasy middle ground shared in Anglo-Indian households by slaves, servants and lesser relations, and described merely as 'a Girl who has been brought up in my House', Mrs Spencer's Lozia inhabited the unstable juridical terrain that divided persons from possessions in eighteenth-century English law.<sup>29</sup>

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<sup>25</sup> Inventory of William Spencer, OIOC, L/AG/34/27/3.

<sup>26</sup> Will of Mrs Spencer, 1 Dec. 1795, OIOC, L/AG/34/29/6.

<sup>27</sup> *Slavery in India: Report of the Law Commissioners* [henceforth *Report of the Law Commissioners* (1841)], Parliamentary Papers (House of Commons), XXVIII, 262 (1841), 39-40.

<sup>28</sup> For bequests of clothing to English servants, see for example Anne Buck, 'Buying Clothes in Bedfordshire: Customers and Tradesmen, 1700-1800', *Textile History*, XXII (1991), 228, and Margot Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003), 30, 82-84.

<sup>29</sup> Female slaves occupied an especially paradoxical position in eighteenth-century property debates. See for example Teresa Michaels, "'That Sole and Despotic Dominion': Slaves, Wives and Game in

Evidence from wills complements and substantially elaborates upon the limited perspectives on domestic slavery afforded by the lists of property sales in Anglo-Indian inventories. Ranging from complex and highly formulaic legal documents composed by attorneys, to hasty deathbed missives penned in epistolary style, these wills reinforce the conceptual confusion that marked references to domestic slaves in inventories. To be sure, slaves figured as mere chattel less often in wills than they did in inventories. In a sample of forty-three wills proved in the period 1780 to 1848 which referenced slaves owned by Anglo Indians, only one specified that the slaves were to be sold at probate. Far more common were wills that sought to transfer domestic slaves to other households, or that sought to free them altogether by granting manumission. In the forty-three sampled wills, clear instructions were given for the disposal of eighty slaves or groups of slaves. Of these, forty-four (or just over half) were to be manumitted without further conditions, one was manumitted with conditions and thirty-six were left by bequest to specified individuals.<sup>30</sup>

The wording of individual wills reflects the variegated landscape of personhood that shaped Anglo-Indian conceptions of domestic slavery. Some Anglo-Indian testators made no effort to distinguish among individuals when instructing their executors to manumit them. Mary Bowers' Bengal will, dictated on her deathbed in the 1780s, merely commented, 'as to my slave girls it is my desire that they all have their liberty and that they each should have a trifle of money given to them'.<sup>31</sup> Many other testators, however, tailored their slave bequests, carefully distinguishing among the levels of freedom each

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Blackstone's *Commentaries*, *Eighteenth-Century Studies*, XXVII (1993-4), 195-216, and Carolyn Steedman, 'Lord Mansfield's Women', *Past & Present*, CLXXVI (2002), 105-43.

<sup>30</sup> These statistics have been extracted from the 'Colonial Possession' dataset, cited in footnote 19 above.

was intended to enjoy, just as they distinguished carefully among the different bequests made to each of the other individuals named in their wills. Mary Barclay's testament illustrates the fine distinctions (among both persons and possessions) that could emerge in this context. She gifted her slave Sophia to Mrs Jan Robinson together with linen, wearing apparel and 2,000 rupees; gave her slave Leccy to Mrs Henrietta Gould with 500 rupees; manumitted her slave boy Samuel without further conditions or bequests; and emancipated her slaves Flora, Maria, Phillis and their two slave children, giving each of these five slaves 200 rupees with their freedom.<sup>32</sup>

The wording of testamentary transactions in Anglo-Indian wills, indeed, repeatedly distances domestic slaves from purely chattel status, endowing them with human attributes that included property rights, personal freedom, volition and individual life-stories, without however contesting the validity of domestic slavery as an institution. Anne Cauty gave each of her twelve domestic slaves a bequest (ranging from fifteen to fifty rupees), sums considerably in excess of the single rupee she left to her relative Elizabeth Cauty—'she gone a bad Away [sic]', as Cauty commented darkly of Elizabeth in her will. Significantly, two of her female domestic slaves were offered the freedom to accept or reject Cauty's disposal of their persons. One was instructed to live for eight years with Cauty's in-law Nancy Curtin, 'then [to do as] her Please' as Cauty put it; the other, slave Susana, was likewise to live with Nancy Curtin, but only 'if her Chuse' to do so, Cauty decreed.<sup>33</sup>

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<sup>31</sup> OIOC, L/AG/34/29/4.

<sup>32</sup> OIOC, L/AG/34/29/4.

<sup>33</sup> OIOC, L/AG/34/29/4.

For a small but significant minority of domestic slaves in Anglo-Indian households, legacies in wills extended from bequests of cash and clothing to bequests of other enslaved persons, and instructions to executors to give slaves choices as to the households in which they were to serve stretched to encompass the gift of substantial homes to slaves themselves. Most slaves who received such extensive legacies appear to have been the concubines of Anglo-Indian men. Among the testators of Bengal wills proved in the 1780s, for example, John Hollingberry gave two slaves to his Indian concubine, observing that ‘two Slave Girls are her[s] Properly’.<sup>34</sup> Thomas Wilmot left a slave named Warwick to one of his executors, but manumitted many others, including Betsy—evidently his slave concubine—who was bequeathed a compound with two houses, furniture, cash and the interest on an investment of 1,000 rupees. To ensure the comfort of this new household, Wilmot also bequeathed Betsy the choice of two of his other domestic slaves, prohibiting her however from selling them on, and instructing that they were in turn to be manumitted upon her death.<sup>35</sup>

Wilmot’s will affords brief flashes of access into the domestic lives of Anglo-Indian households, but other documents, exceptionally, expatiate at some length upon these relations. First composed in 1777 and proved in the probate courts in 1780, the will of Robert Grant, a Lieutenant in the Company army, was initially framed as a

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<sup>34</sup> OIOC, L/AG/34/29/4. For similar practices of concubine emancipation and inheritance in the British Caribbean, see Christer Petley, “‘Legitimacy’ and Social Boundaries: Free People of Colour and the Social Order in Jamaican Slave Society”, *Social History*, XXX (2005), 481-98.

<sup>35</sup> OIOC, L/AG/34/29/4. The telling of precise and strategic life stories was an integral part of the process of extracting maintenance from the English poor law authorities in this period; Grant’s codicils suggest that Anglo Indians may have transferred these narrative strategies to the subcontinent when seeking to dispose of their domestic slaves—many of whom had entered servitude through poverty—through the Company’s probate processes. For English narrative strategies, see Carolyn Steedman, ‘Enforced Narratives: Stories of Another Self’, in *Feminism and Autobiography: Texts, Theories, Methods*, ed. Tess Cosslet, Celia Lury and Penny Summerfield (London, 2000).



conventional testament but subsequently transmogrified (through the addition of no fewer than six codicils) into an extended, wrenching apologia for the treatment of Grant's slave concubine Zeenut. Not mentioned in Grant's original will, Zeenut first appears a year later, in his first codicil, big with his child and now meriting a legacy of 7,000 rupees from his estate to secure her maintenance. A second codicil further buttressed Zeenut's position and comfort within Grant's household by conferring on her two of his other domestic slaves. The wording of this codicil is shot through with ambivalence toward both slavery and slave volition. 'I do further Will & desire that the two young Girls now in my House be given to my said Girl Zeenut if they chuse to go + she chuse to take them, that being in my opinion better for them than being left Children as they are in the wide World', Grant instructed, 'if either of the parties do not agree to this then the two girls [are] to be disposed of at [the] discretion of my Executors, who will no doubt make for them the most humane provision applicable to their Condition.' Although Zeenut miscarried their child, Grant's conflicted conscience prompted him in subsequent codicils to reiterate not only his commitment to maintain her economically, but also his moral duty to provide her with a life-story that would ensure her continued support by his own blood-kin after his death. 'This Woman I bought at Tyrabad', Grant wrote in his fourth codicil. 'I set [out] her history in a particular paper which my Brother may take the trouble to read. I owe her in justice a maintenance.'<sup>36</sup>

Concubines such as this are among the few South Asian slaves living in Anglo-Indian households to have attracted sustained historical attention, and to have prompted

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<sup>36</sup> OIOC, L/AG/34/29/4/. For the challenges of writing Indian life stories in the colonial era, see esp. *Telling Lives in India: Biography, Autobiography and Life History*, ed. David Arnold and Stuart Blackburn (Bloomington, 2004).

historians to seek to situate Anglo Indians' active engagement with domestic slavery as an institution within wider systems of kinship current in Britain and on the subcontinent. More likely than lesser household members to be mentioned individually in their masters' wills or captured for posterity in portraits, concubines offer historians detailed—if unrepresentative—images of domestic slavery in India. Robert Grant's slave Zeenut thus features in Durba Ghosh's fine monograph, *Sex and the Family in Colonial India*, providing a key example of the conflicted affections that Anglo-Indian men developed for their domestic slave concubines amid their growing commitment to a conception of pure bloodline that increasingly fuelled racial anxieties in this period.<sup>37</sup> However, Ghosh's retelling of Zeenut's tale ignores her role as the intended recipient of bequeathed slaves herself, through Lieutenant Grant's will.<sup>38</sup> Focusing on sexual relations and the master-slave conjugal unit, this interpretation captures the ambiguities borne of slave concubines' unequal status relative to their Anglo-Indian masters and those masters' British blood-kin, but it misses slave concubines' superior location relative to servants and other bonded household members in the distribution of household wealth through processes of inheritance. Slave concubines in Anglo-Indian households were clearly and emphatically viewed as less deserving of property than testators' legitimate wives and white relations. But they were also clearly viewed by their owners as persons who could hold not only property, but property in persons. In this, their perceived rights exceeded those of servants in Anglo-Indian wills, most of whom received bequests of cash, textiles or memorial objects but none of whom were bequeathed domestic slaves by their

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<sup>37</sup> Durba Ghosh, *Sex and the Family in Colonial India* (Cambridge, 2006), 112. Visual images of Anglo Indians' Indian concubines are documented in Mildred Archer, *India and British Portraiture 1770-1825* (London, 1979).

mistresses or masters.<sup>39</sup> Michael Fennell's will, filed in Madras, nicely encapsulates slave concubines' unstable perch at once within and without the Anglo-Indian family and its inheritance systems. Fennell left his estate in its entirety to his wife Anna in the first instance, but ordered that if she were to predecease him it was to go instead to 'my Slave Girl Catherina'. Neither the enslaved Catherina nor her daughter, the slave Aurellia—who was designated third in the line of succession in Fennell's will—was however manumitted in this document. Although Fennell protested that 'it never was my intention to sell any of them', his failure to emancipate his slaves in his will meant that they featured in this document successively as potential chattel for sale at auction by his heirs and principal legatees of his substantial fortune.<sup>40</sup>

Slippage in these wills between descriptions of slaves as slaves, on the one hand, and of slaves as servants, on the other, further underlines Anglo Indians' inability to fix domestic slavery precisely within the world of labour as they understood it. When Mary Powney, the indomitable matriarch of an extensive Anglo-Indian clan based in Calcutta, died at the age of a hundred in 1780, she left an extensive will that alternated uneasily between designating her domestics as slaves and as servants. Described explicitly as 'my Slave Fellice' and 'my Slave Susanna', two such household members were also named as 'my Two Old Woman Servants Fellice and Susana' in the will in which Powney manumitted both 'my Slave Girl Mantanea' and 'my Servant Joseph'.<sup>41</sup> Confusion as to whether domestic slaves were really slaves or perhaps instead a species of servant

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<sup>38</sup> Ghosh, *Sex and the Family*, 113-116.

<sup>39</sup> See 'Colonial Possession' dataset.

<sup>40</sup> OIOC, L/AG/34/29/185. Chatterjee, 'Colouring Subalternity', 78-84 analyses such testamentary gifts as integral mechanisms by which even deceased Anglo Indians exercised 'disciplinary regimes of rewards and punishments' over their slaves (citation 79)..

persisted for decades in Anglo-Indian households, as the wording of Elizabeth Clayton's Bengal will of 1824 clearly demonstrates.

To my Female Servant Sambarrow I give and bequeath Freedom Liberty and one hundred Sicca Rupees...one set of Gold...Buttons and one half of my Malay Clothes. To Mauis my other Malay Servant I also give and bequeath Liberty and Freedom besides twenty Sicca Rupees...and the remaining half of my Malay Clothes. To Sarrong Saree the Daughter of Mauis I bequeath liberty from Slavery besides Fifty Sicca Rupees....To Harry my Male Servant I give and bequeath his liberty forever besides twenty Sicca Rupees...with all my Cooking Utensils for his Familys [*sic*] use.<sup>42</sup>

Named persons whose loyal service merited individual gifts of clothing, fashionable trinkets, cash and cookware, Elizabeth Clayton's domestic servants were also unambiguously slaves: as late as the 1820s, they were understood to lack 'Liberty and Freedom' and to exist in a state of personal bondage to their mistress, until formally emancipated by her.

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Wills and inventories allow us to glimpse Anglo Indians struggling to position South Asian domestic slaves within a wider universe of servitude that included not only the chattel slavery of Atlantic plantations but also the contractual labour regimes of domestic service at home in Britain. These probate documents also reveal Anglo Indians' efforts to accommodate domestic slaves within their own residential households, families that typically comprised only a smattering of nuclear kin but embraced a rich assortment

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<sup>41</sup> OIOC, L/AG/34/29/185.

of siblings, in-laws, illegitimate progeny, cousins, retainers, concubines and servants. Such extended household families defy conventional models of the bourgeois conjugal unit.<sup>43</sup> Social life in these baggy, dynamic household families provided a constant, visible and intimate source of material for Anglo-Indian reflections on domestic slavery as an institution. Possession of slaves in turn encouraged Company and government officials to use their own domestic lives as a means for scrutinising the nexus of fundamental categories that lay at the heart of Enlightenment social science—labour, property, person and individual—and for rethinking these categories within the context of quotidian household and family relations.<sup>44</sup>

The copious private correspondence sent between Anglo Indians and their family members in Britain ensured that domestic slaves' contribution to this emerging sociology of colonial knowledge extended far beyond the static endpoints of social life marked by probate documents such as wills and inventories. Known as 'familiar letters', such correspondence survives in great quantities for this period, allowing the historian to eavesdrop on Anglo-Indian efforts to situate domestic slaves within a comprehensible and ordered social universe. The reflections on slavery in the private correspondence of the first earl Minto provide a case in point.<sup>45</sup> Governor General of India from 1807 to 1813, Minto left his wife, daughters and heir safely at home in the Scottish Borders when he took up office in Calcutta, surrounding himself at Government House with a shifting constellation of alternative household, family and kin members. Three legitimate

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<sup>42</sup> OIOC, L/AG/34/29/36.

<sup>43</sup> Albeit, as Davidoff has abundantly demonstrated in 'The Legacy of the Nineteenth-Century Bourgeois Family', Western families themselves were far more baggy than conventional models would suggest.

<sup>44</sup> Steedman, *Labours Lost*, details the English context of these debates.

younger sons resided with him here at intervals, as did a bastard son borne in England to Minto's long-standing mistress, Mrs Barry. Two daughters-in-law, two grandchildren, several aides-de-camp, a Scottish steward, a horde of impecunious lesser relations and innumerable Indian servants shared this capacious home with him. In 1811, eight Malay slaves were gifted to Minto at the close of a military campaign in Java. Returning with the earl to Calcutta in 1812, the slaves were emancipated by him, baptised and given Christian names, joining the ranks of Minto's extended household family at Government House.<sup>46</sup>

A Whig in politics educated at Edinburgh by luminaries that included David Hume,<sup>47</sup> Minto grappled to reconcile his Malay slaves with the competing conceptual claims of racial difference, human equality, Christian piety and familial inclusion. Now freed from their slave status, they no longer offended his Whig sensibilities, but they posed a constant puzzle to their new master, prompting extended musings in his letters home to his wife in which they occupied the full range of subject positions on the great chain of being. In one letter, Minto compared his newly emancipated slaves explicitly to apes, describing an orangutan given to him by the Sultan of Pontania as 'one slave more that was given to me' and commenting that this beast was 'really too like a man—that is to say, a Malay man'. Having thus drawn attention to the supposedly simian features of Malay men, however, Minto proceeded to analogise between apes, savages and cultivated Europeans. 'He is much too civilised to deserve the name of wild', he wrote to Lady

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<sup>45</sup> For Minto, see Michael Duffy, 'Kynynmound, Gilbert Elliot Murray, first earl of Minto (1751-1814)', *Oxford Dictionary of National Biography* (Oxford, 2004); online edn, January 2008 [<http://www.oxforddnb.com/view/article/8661>, accessed 23 January 2009].

<sup>46</sup> *Lord Minto in India: Life and Letters of Gilbert Elliot, First Earl of Minto from 1807 to 1814 while Governor General of India*, ed. Countess of Minto (London, 1880), 266-67, 334-35.

Minto of the orangutan. ‘I saw him yesterday sitting on a stool, and eating his rice on a table like a Christian gentleman.’<sup>48</sup> Minto was clearly vexed by his own inability to distinguish sharply between man and beast in the context of an Indian Ocean gift economy that circulated objects, animals and unfree persons alike as tokens of power, curiosity and submission. Reporting to his family in Scotland on his slaves’ collective christening and manumission in Calcutta, he observed that he had dignified two of the emancipated slave boys with the names ‘Man’ and ‘Friend’. ‘I gave them the truly Christian names of Homo and Amicus that I may always be put in mind to treat my humble property like men and friends instead of cattle’, he explained. ‘Indeed they deserve it, for better, gentler boys were never born in Christendom.’<sup>49</sup>

These philosophical musings in his familiar letters were no doubt highly satisfying to an erstwhile student of Hume, but the presence of his ex-slaves in Minto’s household clearly and emphatically demanded that his treatment of them extend beyond abstract theorisation to the concrete business of social life. For, having been stripped of their slave status and granted English names, the Malays became necessary objects of social incorporation. The boys were distributed between service on a ship captained by Minto’s son George and relegation to the family’s estate in Scotland, where their arrival again prompted successive efforts by family and household members to assign them a stable

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<sup>47</sup> For Minto’s intellectual formation, see Jane Rendall, ‘Scottish Orientalism: From Robertson to James Mill’, *Historical Journal*, XXV (1982), 43-69, esp. 45, 48, 50-51.

<sup>48</sup> *Lord Minto in India*, 268-69. Nicholas Hudson has noted that such comparisons to animals were, in this period, intended as commentary on perceived levels of cultural and historical attainment, rather than as assertions of fixed biological difference. Hudson, ‘From “Nation” to “Race”: The Origins of Racial Classification in Eighteenth-Century Thought’, *Eighteenth-Century Studies*, XXIX (1996), 250.

<sup>49</sup> *Lord Minto in India*, 334-35. Chatterjee adduces Minto’s renaming of his manumitted slaves to illustrate the politics of dispossession inherent in British emancipation, but their subsequent incorporation into his household suggests the need to expand the parameters of this interpretation. Chatterjee, ‘Colouring Subalternity’, 69-70, 72.

position on the slavery to kinship continuum. Writing to her husband in 1814 to announce the arrival of Man and Friend, Lady Minto captured not only their simultaneous location within and outside the category of chattel property, but also their placement at one and the same time within and outside the embrace of Minto's family circle. 'Mr Panton sent me the receipt of them, like a Bail of goods', she reported with disapproval, underscoring 'receipt' to highlight the conceptual error of conflating persons and things. 'Poor things, I have desired [the housekeeper] to give them plenty of Blankets on their Beds', Lady Minto continued. 'She is sure of being very kind to them, she says "Ah poor things they have no father but my Lord [Minto] & a good one he will be'.<sup>50</sup> At once persons and parcels, subjects and objects, kin and 'things', Minto's emancipated slaves repeatedly traversed the porous legal and philosophical boundaries that divided property from humanity in British Enlightenment thought.

Incorporated imaginatively into the family circle as putative sons by Minto's housekeeper before their arrival, Man and Friend continued to provoke worried commentary on their status in and relationship to the family in the following days and weeks. Their residence at the estate caused particular consternation for Minto's infant grandson Gilly, prompting anxious questions as to their potential kinship to (or their fundamental alterity from) him. Possessing little familiarity with the men-folk of his paternal line—most of whom had been absent in India since his birth—Gilly was troubled by the seeming closeness of the ex-slaves' kin relation to him. 'Friend and Man arrived last night and Gilly asked his mother whether they were his Cousins, & on her saying no, he said "Well I am glad of that, for I don't think I should like to have black cousins"',

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<sup>50</sup> Countess Minto to first earl Minto, 4 March 1814, National Library of Scotland [henceforth NLS], MS



Lady Minto reported to the earl. Her reaction to the Malay ex-slaves revealed her own ambivalence as to whether the boys' similarity or their difference posed a greater threat to their incorporation within the Minto household—and to her self-identity. 'Although I am not in general favorable to Black skins, I do not feel the horror of them I had [expected]', she informed her husband. 'But I am glad the females did not come too, for Black women are much more disgusting to me, you know it is said nobody is pleased with what is like themselves.'<sup>51</sup>

Lady Minto's recognition of the worrying familiarity of her husband's female ex-slaves was muted by her great distance from them, but her sons in Calcutta lacked this layer of insulation, for Minto's former slaves (like countless of his Scottish servants and retainers) were not mere philosophical abstractions but rather social beings who populated actual Anglo-Indian households. Upon their manumission, the female slaves had been settled in a Calcutta school established for the Eurasian progeny of British fathers, a fitting gesture to their identity as fictive daughters in Minto's extended household family.<sup>52</sup> They were kept in school until of an age to enter into domestic service within the family's remaining colonial household in India, a transition that proved to be less than successful. [My wife] 'has taken one of the Malay girls into the nursery in order to teach her to be a maid', Minto's youngest son wrote plaintively to his brother in 1820. 'The other is a perfect devil & I fear will never come to any good unless it be the gallows.'<sup>53</sup>

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11083, fols 250-250 verso.

<sup>51</sup> Countess Minto to first earl Minto, 5 June 1814, NLS, MS 11083, fols. 252-52 verso.

<sup>52</sup> For the education of Eurasian children at the Calcutta orphanages, see Hawes, *Poor Relations*, 23-32.

The conspicuous presence of domestic slaves in Anglo-Indian households emerges clearly from an array of late eighteenth- and early nineteenth-century manuscript sources. Physically visible, economically vital and philosophically perplexing, domestic slaves animate the archive of inventories, wills and private letters that documents social life in India under Company rule. The dynamic, conflicted representations of domestic slaves that pervade these documents contrast sharply with depictions of domestic slavery in the successive volumes of *Parliamentary Papers* published from 1828 to 1841 as the British government, inspired by popular agitation against slavery in the Americas, turned its attention belatedly to bondage in the Indian Ocean world. Constructing domestic slavery as fundamentally foreign to British national identities, the narrative framework elaborated in the *Parliamentary Papers* worked to erase Britons' active participation in Indian Ocean slave markets from the abolitionist conscience and historical memory more broadly.

Between the 1780s and the 1830s, while abolitionist fervour captured the popular imagination in England, guarded, ambiguous and contradictory admissions of Anglo-Indian slave ownership in the 1780s came to be supplanted in the *Parliamentary Papers* by evidence designed to prove that Britons in India simply did not own slaves. The celebrated jurist and Orientalist scholar Sir William Jones' address to the Supreme Court in Calcutta in 1785 is among the earliest documents adduced by the editors of the *Parliamentary Papers* in their campaign to construct domestic slavery as foreign alike to British social practice and English national identity. Jones began by stating categorically 'that absolute unconditional slavery, by which one human creature becomes the property

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<sup>53</sup> John Elliot to the second earl Minto, 5 March 1820, NLS, MS 11753, fol. 125 verso.

of another, like a horse or an ox, is happily unknown to the laws of England'. He then promptly acknowledged owning several Indian child-slaves himself—'whom I rescued', he explained, 'from death or misery, but consider them as other servants, and shall certainly tell them so, when they are old enough to comprehend the difference of the terms'. Alternately acknowledging and denying, condemning and rationalizing British slave ownership in India, Jones sought to distance domestic slavery from Englishness even as he admitted the presence of Indian child slaves within his own domestic circle. Like Anglo-Indian testators, Jones explained away his slaves by designating them servants, a rhetorical sleight of hand that situated them within the established, English norms of domestic service. Continuing by describing 'the condition of slaves within our jurisdiction' as 'beyond imagination deplorable', he exempted Anglo Indians from his strictures against Indian and European slave-holding in Calcutta. 'If I except the English from this censure', he observed to the Grand Jury, 'it is not through partial affection to my countrymen, but because my information relates chiefly to people of other nations, who likewise call themselves christians'.<sup>54</sup>

Jones' critique of slave-owning 'people of other nations, who likewise call themselves christians' was a thinly veiled reference to the substantial Portuguese community in Bengal. By the late 1780s, public pronouncements by British officials that slavery on the subcontinent was a Portuguese and continental European institution had begun to position Anglo Indians rhetorically outside slave-holding, incorporating them—in the face of conspicuous evidence to the contrary in their very households—into an

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<sup>54</sup> Sir William Jones, charge to the Grand Jury, June 1785, in *Slavery in India: Correspondence and Abstract of Regulations from 1772* [henceforth *Correspondence and Abstract*], Parliamentary Papers (House of Commons), IV, 125 (1826), 9-10. Jones, of course, was Welsh.

emerging public narrative in which Britain featured as a unique and pioneering abolitionist nation. In 1789, Governor General Cornwallis wrote to the Court of Directors to decry the prevalence of slavery ‘so shocking to humanity, and so pernicious to your interests’ in India. He was careful to implicate European ‘others’ in this profoundly un-English traffic in persons. The slave trade, he expostulated, had ‘long been carried on in this country by the low Portuguese, and even by several foreign European seafaring people and traders, in purchasing and collecting native children in a clandestine manner, and exporting them for sale to the French islands’.<sup>55</sup> ‘Low’, ‘foreign’, ‘clandestine’, ‘French’ and ‘Portuguese’, the slave trade depicted in the *Parliamentary Papers* slotted easily into dominant nationalist stereotypes that contrasted freedom-loving British Protestants to oppressive, Catholic continental Europeans.<sup>56</sup>

Strategically placed anecdotes in the *Parliamentary Papers* that depicted Britons entering Indian slave markets in the guise of humanitarian abolitionists lent further force to this emerging nationalist stereotype, working to displace Anglo-Indian slaveholding from wider British scrutiny of slavery as an institution. Thomas Baber, who had served the Company in a variety of judicial capacities in the first three decades of the nineteenth century, testified in 1832 that decades earlier, in 1803, he had purchased two Indian slaves ‘for the sake of emancipating them’, and was pleased to report that this manumitted ‘boy and girl’ had thereby risen ‘one to be a gentleman’s butler and the other

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<sup>55</sup> Cornwallis to the Court of Directors, 2 Aug. 1789, in *ibid.*, 13.

<sup>56</sup> Linda Colley, *Britons: Forging a Nation 1707-1837* (London, 1996) details the operation of this stereotype within Britain itself. Nationalist tensions with both the French and the Americans were played out globally through abolitionist debates and policies in this period. See esp. Matthew Mason, ‘The Battle of the Slaveholding Liberators: Great Britain, the United States, and Slavery in the Early Nineteenth Century’, *William & Mary Quarterly*, LIX (2002), 665-96, and Richard B. Allen, ‘Licentious and Unbridled Proceedings: The Illegal Slave Trade to Mauritius and the Seychelles during the early Nineteenth Century’, *Journal of African History*, XLII (2001), 91-116.

a lady's aya [maid]'.<sup>57</sup> Similarly William Banquière, testifying before the Law Commissioners in 1840, reported having used his appointment as a local justice of the peace as long ago as 1800 to combat the evils of domestic slavery in Calcutta. In this interpretation, abolitionism—not ownership—was normative in Anglo Indians' relations with domestic slaves on the subcontinent. 'It has always been my practice to interfere, when I have heard that children or women have been kidnapped...and brought into Calcutta for sale', he testified. 'The number of those whom, after inquiry, I have thought fit to release and restore to their parents, or place with respectable housekeepers, I should think must amount to six or seven hundred'.<sup>58</sup>

By ignoring Company records that documented domestic slavery as an integral, intimate aspect of domestic relations and private life in British households, the *Parliamentary Papers* effectively distanced Anglo Indians from their personal knowledge of slave ownership in India. Once it had been re-presented as a institution that operated only outside the Anglo-Indian community, domestic slavery could safely be acknowledged as central to indigenous—but not colonial—family life on the subcontinent. Again and again in the *Parliamentary Papers* British observers now declared that domestic slavery in India, as practiced by Indians themselves, was not really slavery, but rather an indigenous way of managing normative family relationships and household labour. Slavery in the Deccan, a House of Lords Committee was told in 1830, existed only as 'A modified degree of slavery...principally confined to females'. This was 'a domestic and mitigated form of slavery' the committee concluded; 'it is the

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<sup>57</sup> *Slavery in India: Papers Relative to Slavery in India* [henceforth cited as *Papers Relative to Slavery in India* (1834)], Parliamentary Papers (House of Commons), 128 (1834), 22.

<sup>58</sup> *Report of the Law Commissioners* (1841), 241.

mildest species of servitude', the Lords were informed.<sup>59</sup> Far from consigning slaves to marginal social status, slavery in Assam, the Indian Law Commissioners were told, integrated slaves into families through social processes of incorporation. 'In the poor and middling families, the slaves and bondsmen are treated like the other inmates, the same mess serving for the whole household, and both mistress and maid being entirely clothed in homespun manufactures', commissioner Scott reported. Slave concubines, he continued, 'are in fact regarded as adopted children, and the universal designation for a female slave in Assam is...daughter.'<sup>60</sup> Figured as household members who were incorporated into the very fabric of the family through shared engagement in consumption and material culture, domestic slaves were happy slaves in this interpretation. The 1826 *Parliamentary Papers* made this point emphatically by contrasting domestic slavery in India to plantation slavery in the Atlantic world. 'The ideas of slavery, borrowed from our American colonies, will make every modification of it appear, in the eyes of our own countrymen in England, a horrible evil; but it is far otherwise in this country; here slaves are treated as the children of families to which they belong, and often acquire a much happier state by their slavery than they could have hoped for by the enjoyment of liberty', the report concluded.<sup>61</sup>

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<sup>59</sup> *Papers Relative to Slavery in India* (1836), 41.

<sup>60</sup> *Report of the Indian Law Commissioners* (1841), 98. The role of gender stereotypes in emancipist rhetoric in India thus presents a radical contrast to the dominant Atlantic world paradigm, in which opponents of slavery underlined its fundamental incompatibility with appropriate gender relations and the privacy of the domestic sphere. See esp. Diane Paton and Pamela Scully, 'Introduction', in *Gender and Slave Emancipation in the Atlantic World*, ed. Diana Paton and Pamela Scully (Durham, 2005), 12; and Catherine Hall, *Civilising Subjects: Metropole and Colony in the English Imagination 1830-1867* (Oxford, 2002), 134-35.

<sup>61</sup> *Slavery in India: Return to an Address of the Honourable House of Common, dated 13<sup>th</sup> April 1826* [henceforth *Return to an Address* (1826)], *Parliamentary Papers* (House of Commons), 125 (1826), 2.

Conflating slave status with infancy and with female domestic service, the evidence compiled in the *Parliamentary Papers* was calculated to obviate the need for abolitionist campaigns in British territories on the subcontinent. One former Company official testifying to Parliament in 1832 admitted that famine conditions compelled Indian parents in the Madras Presidency to sell their children into servitude. This Indian slavery was however, he asserted, slavery only in name. ‘A Hindoo...who buys a child on such an occasion, treats it as a Briton would; not as a slave, but rather as a servant to whom food and raiment are due, and whose wages have been advanced to maintain the existence of the authors of its being, authorized by nature to contract for its service until it is old enough to confirm or cancel such compact’, he explained.<sup>62</sup> Couched in the Lockian language of social compact and legitimate contracts, this line of analysis rendered the abolition of slavery moot: Indian domestic slaves did not require manumission by the British government, for they could emancipate themselves if they simply chose to exercise their individual self-interest upon reaching adulthood. ‘Slaves who have been liberated, or left to seek their own livelihood... have been frequently known to support their former masters or mistresses from earnings of their industry, or by begging for them’, the Law Commissioners thus asserted.<sup>63</sup> Lord Auckland, the Governor General of India, concluded from his reading of the evidence in the 1841 *Parliamentary Papers* that domestic slavery in India had little in common with ‘the former oppressive and compulsory slavery of our West Indian settlements’, and thus should be removed from Parliament’s abolitionist agenda. ‘In effect, that which constitutes the essence of slavery may be said to have been already abolished nearly everywhere throughout India’, he

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<sup>62</sup> *Papers Relative to Slavery in India* (1834), 30-31.

claimed, for the status of ‘honour and distinction’ within the family enjoyed by Indian domestic slaves ensured that ‘the tie of general good treatment, and a supposed self-interest, will prevent a slave from leaving his master and living in freedom’.<sup>64</sup>

Needing no legislation by Parliament to emancipate them from servitude, Indian domestic slaves emerged from the *Parliamentary Papers* as fit objects instead for control by extant Master and Servant legislation. When the Law Commissioners took evidence in 1827 from a judge in the Puna jurisdiction, he testified that he considered ‘the law of master and apprentice the most applicable to the present relations of master and slave, slavery being mild and entirely domestic’ in India.<sup>65</sup> Executing a neat conceptual pirouette from domestic slavery to domestic service, legal authorities adroitly shifted the problem of slavery from the abolitionist camp to the magistrate’s court. Secured within the Indian domestic sphere, Indian slavery ceased to be a British political imperative. The great burden of the evidence they had collected, the Law Commissioners concluded in 1841, demonstrated ‘That the relations now subsisting between master and slave [in India] may be considered as closely approaching that of master and apprentice or servant, or even that of parent and child in respect of power and coercion’.<sup>66</sup>

By aligning the regulation of domestic slavery in India with Master and Servant legislation, the compilers of the *Parliamentary Papers* endorsed slaves’ subjection to an alternative mechanism for coercing labour, one that long outlasted chattel slavery and was

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<sup>63</sup> *Report of the Law Commissioners* (1841), 30.

<sup>64</sup> *Slavery (East Indies). A Copy of the Letter from the Governor-General of India in Council*, *Parliamentary Papers* (House of Commons), 54, session 2 (1841), 2.

<sup>65</sup> *Report of the Law Commissioners* (1841), 166.

<sup>66</sup> *Report of the Law Commissioners* (1841), 171.



to prove especially effective in nineteenth- and twentieth-century colonial contexts.<sup>67</sup> English Master and Servant law defined service (including domestic service) as a contractual relationship between formally unequal parties with asymmetrical responsibilities and rights. Throughout the British empire, Master and Servant disputes criminalised labourers' breaches of contract—subjecting those found guilty of such crimes to forced labour, corporal punishment or imprisonment—but punished masters who failed to fulfill their own obligations only by damages assessed through civil process. Although abolished in England itself in 1875, the Master and Servant framework proved to be a vital mechanism for extracting labour from colonial and indigenous populations. Its genius lay in its ability to coerce labour through contracts and legal processes, generating 'unfree' labour from 'free' servants hired outside systems of slavery, in the open market. As Ravi Ahuja has argued, it was 'precisely in its capacity to provide concrete bridges over the abstract gap between (formal) freedom and servitude... in the construction and legitimation of an uninterrupted continuum of legally regulated employment relations between slavery and "free wage labour", that the...remarkable longevity of "master and servant law" lay'.<sup>68</sup>

By arguing that domestic slaves were best considered servants amenable to Master and Servant regulation, the authors of the *Parliamentary Papers* subjected these labourers to a system of coercion which—in the colonies but not in England itself—was enforced

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<sup>67</sup> See especially *Masters, Servants and Magistrates in Britain and the Empire, 1562-1955*, ed. Douglas Hay and Paul Craven (Chapel Hill, 2004), and Peter Karsten, *Between Law and Custom: "High" and "Low" Legal Cultures in the Lands of the British Diaspora—the United States, Canada, Australia, and New Zealand, 1600-1900* (Cambridge, 2002).

<sup>68</sup> Ravi Ahuja, 'Making the Empire a Thinkable Whole: Master and Servant Law in Transterritorial Perspective', *International Review of Social History*, LII (2007), 288.

by punishments that included the lash.<sup>69</sup> Indian domestic slaves' designation in the *Parliamentary Papers* as servants was thus doubly disabling. As domestic servants, they were supposedly safely ensconced within the family circle, and thus did not merit abolitionist legislation; as domestic servants too, however, they were subsumed as freely contracting agents within the Master and Servant framework, and thereby (like slaves) were subject to corporal punishment to coerce their labour.

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In seeking to explain the rise of British anti-slavery sentiment from the 1780s and Parliament's enactment of anti-slavery legislation from 1807 onward, historians guided by the Atlantic world model have focused attention on large-scale, popular abolitionist campaigns in Britain and on the ways in which emergent social science informed the abolitionists debate through discourses such as race, Malthusianism and political economy.<sup>70</sup> Framing British slavery and abolitionism within these narrow political and intellectual boundaries produces a satisfying narrative that progresses through successive legislative acts and culminates with the triumph of emancipation in 1837. This history of slavery, however, excludes the East Indian territories from its ambit: successful in tracing formal transitions from bondage to freedom in the British Caribbean, it is incapable of tracking transitions between competing systems of unfree labour in the Indian Ocean world.<sup>71</sup> The processes by which this partial, partisan history of slavery came to be

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<sup>69</sup> Ravi Ahuja, 'The Origins of Colonial Labour Policy in Late Eighteenth-Century Madras', *International Review of Social History*, XLIV (1999), 186-87.

<sup>70</sup> For a brief survey, see Seymour Drescher, *The Mighty Experiment: Free Labour versus Slavery in British Emancipation* (Oxford, 2002), esp. pp. 6-7.

<sup>71</sup> The legislative history of attempts to abolish slavery in India is told in Howard Tempeley, 'The Delegalization of Slavery in British India', *Slavery & Abolition*, XXI (2000). Peter Marshall offers an alternative explanation for British abolitionists' blindness to Indian slavery, grounded in imperial politics, in

written can be understood only if the evidence adduced in the *Parliamentary Papers* is re-situated to the social sphere and re-integrated with the wider history of the family.

Sharing their households with domestic slaves, later eighteenth- and early nineteenth-century Anglo Indians had struggled to assign Indian slavery a fixed position within either the domestic circle or the world of labour. Alexander Craufurd of Chittigong, with whose hastily-composed will I began this paper, spoke eloquently to this dilemma—borne of the lived experiences of family and social life—in 1782. ‘I had almost forgot a poor Slave Boy (I never have look’d on him as such) who is a good Servant and must have his freedom’, Craufurd wrote to his brother on his deathbed. By the later 1820s, Craufurd’s belated recognition of his slave boy’s slavery and his determination to secure this slave’s emancipation had been supplanted within the wider Anglo-Indian community by a shared forgetting of British slave ownership on the subcontinent and a collective consensus that domestic slavery in Indian households was a benign form of domestic service rather than a species of coerced, illegal bondage. Having made this conceptual leap, the officials who governed in India and the editors who compiled the *Parliamentary Papers* distanced the institution of slavery in India from the long shadow cast by Atlantic world plantations and succeeded in identifying it instead (through the established norms of Master and Servant legislation) with the acceptable face of unfree labour in Britain and its empire.

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‘The Moral Swing to the East: British Humanitarianism, India and the West Indies’, in P.J. Marshall, *A Free though Conquering People: Eighteenth-Century Britain and Its Empire* (Aldershot, 2003), 69-95.