

Perceptions of French and Spanish Slave Law in Late Eighteenth-Century Britain

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Abstract This article examines British understandings of the laws and legal traditions that regulated slavery in French and Spanish colonies in the late eighteenth century, particularly between the American and French Revolutions. Based on reports from those with firsthand knowledge of different slave systems, many imperial commentators contended that enslaved persons under French and Spanish rule were treated more humanely—and consequently worked more efficiently—than those in British jurisdictions. Advocates of slavery reform therefore looked to the slave management strategies of competitors to help advance their cause. For some, appropriating foreign slave regulations became a central feature of programs designed to lessen the brutality of slavery and eventually bring about emancipation. For others, highlighting the comparatively benign treatment of enslaved workers in French and Spanish islands served as a way to pressure the British government to more proactively police slaveholding in its own colonies. By exploring calls to emulate the slave regulations of rival empires, this article provides a window onto shifting British attitudes toward both slavery and imperial governance during a period of major political and economic change in the Atlantic World.

In winter 1792, at the height of public opposition to the transatlantic slave trade, army physician and political reformer Robert Hamilton wrote a forceful tract adding his voice to the abolitionist cause. After condemning the traffic on the grounds of justice and humanity, Hamilton sought to convince his readers that abolition would be economically beneficial as well. Sugar exports from the British West Indies could be maintained or even increased, he wrote, if only those already enslaved were treated better. His logic was simple: improved labor and living conditions would make enslaved persons more efficient workers, lengthen their working lives, and reduce acts of resistance. In thinking about ways to ameliorate slavery, Hamilton drew inspiration from foreign sources. Arguing for the creation of an empire-wide slave code, he encouraged British lawmakers to “imitate the French,” whose “code *noir* contains many admirable regulations respecting the diet, cloathing [*sic*], treatment, government, discipline, morals, and religion of the Negroes.” Citing customary practice on the Spanish island of Cuba, he

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recommended that British slaves be provided limited opportunities to earn wages, which they could then use to gradually purchase their freedom. Like French laws, these “Spanish regulations” were known to “have great and good effects” and to “take away entirely the *sting* of slavery.” If such policies were implemented in British islands, Hamilton believed, “the colonies would flourish; the Planters become rich; morality and order would be practised ... and perpetual harmony prevail.”¹

Hamilton’s call to emulate the slave management practices of rival empires rested on his conviction that enslaved Africans in foreign islands were “far more humanely treated than in the British.”² He was not alone in this opinion. During the final third of the eighteenth century, Britons who had spent time in the West Indies regularly reported that enslaved persons in French and Spanish colonies were both more content and better workers than those under British rule. According to the former captive Olaudah Equiano, they “were better treated, had more holidays, and looked better than those in English islands.” The Governor of Jamaica, John Dalling, acknowledged that slaves “certainly are under much better regulations among them than with us.”³ This information fed into growing anti-colonial prejudices in the imperial metropole, leading a number of analysts to conclude, as Josiah Tucker did, that “English planters in general treat their slaves, or suffer them to be treated, with a greater degree of inhumanity than the planters of any other European nation.”⁴ Other observers wrote favorably of the systematic efforts by Catholic powers to baptize and instruct the enslaved in the principles of religion, and of laws placing limits on the authority of slave owners.

According to some British commentators, slavery reform was an economic necessity: sugar exports from Saint-Domingue outpaced those from all British Caribbean colonies combined during much of the latter eighteenth century, and the comparatively mild treatment of French slaves appeared to help explain the productivity gap.⁵ Others emphasized the moral imperative not to be outdone in what the Earl of Hopetown referred to as “the race of humanity.”⁶ They therefore urged their government to set nationalistic pride aside and to borrow policies from imperial rivals. “The Spaniards, the Portuguese, the French, have set examples,” asserted the pamphleteer Africanus, “which the inhabitants of Great Britain and Ireland may be proud to follow.” As an anonymous contributor to the *Templar* counseled

¹ Robert Hamilton, *An Address Intended to Have Been Delivered at a Meeting of the Inhabitants of Ipswich, on Friday, February 17th, for the Purpose of Considering the Propriety of Petitioning Parliament, for an Abolition of the Slave Trade* (Ipswich, 1792), 50–52.

² *Ibid.*, 22.

³ Olaudah Equiano, *The Interesting Narrative and Other Writings*, rev. ed., ed. Vincent Carretta (New York, 2003), 161; Colonel John Dalling, “Observations on the Present State of the Island of Jamaica,” (unpublished manuscript), 1774, Osborne c524, unpaginated, Beinecke Library, Yale University.

⁴ Josiah Tucker, *Reflections on the Present Matters in Dispute between Great Britain and Ireland; And on the Means of Converting These Articles into Mutual Benefits to Both Kingdoms* (London, 1785), 10.

⁵ Christa Dierksheide, *Amelioration and Empire: Progress and Slavery in the Plantation Americas* (Charlottesville, 2014), 161–62; J. R. Ward, “The Profitability of Sugar Planting in the British West Indies, 1650–1834,” *Economic History Review*, n.s., 31, no. 2 (May 1978): 197–213.

⁶ Earl of Hopetown, 25 June 1788, in *The Parliamentary History of England, from the Earliest Period to the Year 1803*, ed. T. C. Hansard, 36 vols. (London, 1806–20), 27:645.

his countrymen, “while we affect to despise the foibles of other nations, let us not blush to emulate their virtues.”⁷

Contemporaries attributed the superior treatment and conditions of enslaved persons in foreign colonies to a variety of factors. French and Spanish slave owners were more likely than were their British counterparts to be resident on their estates, for instance, or to own modest-sized plantations unencumbered by debt. Cited more frequently than structural differences, however, were differences in the legal regimes that regulated New World slavery. Whereas slave codes in the British Caribbean were promulgated by colonial assemblies composed largely of slaveholders, Britain’s rivals appeared to possess standardized rules that originated in Europe and extended outward. In Spanish colonies, traditions derived from Roman civil law delimited the authority of masters over slaves and yielded liberal manumission policies that appeared to explain the comparatively high number of free people of color in Spanish America. In French colonies, slaveholding was mediated by the 1685 royal ordinance that came to be known colloquially as the *code noir*. The statute protected slaves from arbitrary violence, guaranteed minimum amounts of food, clothing, and rest from labor, and mandated that all slaves be baptized in the Catholic faith. It charged a specific official in each colony with ensuring compliance, and made manumitted slaves naturalized French citizens.⁸ In identifying the *code noir* in particular as worth emulating, British advocates of slavery reform focused on these clauses while almost entirely ignoring others, including those authorizing brutal forms of slave punishment such as mutilation and death. They also overlooked both the myriad ways in which colonists of all nationalities evaded regulations and European governments’ limited capacity for enforcement in colonial settings. In their selective and abstracted readings of foreign slave laws, though, reformers detected both a spirit of compassion and models for how to make British slavery a more humane institution.

While historians have long recognized that comparing British slavery unfavorably to other slave systems was common among imperial analysts, the patterns, implications, and strategies behind these comparisons have gone curiously unexamined. Most scholars who have studied slave regulations in multiple empires have sought to assess the accuracy of contemporaneous assessments. Through comparing metrics such as mortality and manumission rates in different colonies, they have tried to determine the extent to which differences in the lived experience of slavery can be traced to variations in legal systems.⁹ Summarizing the current consensus,

⁷ Africanus [William Leigh], *Remarks on the Slave Trade, and the Slavery of the Negroes* (London, 1788), 75; “Remarks on the Villenage of Our Ancestors, and the Slavery of the Negroes in the West-Indies, with a Proposition for a Negro Code,” *Templar*, no. 1 (1789): 62.

⁸ For overviews of the *code noir*, see Leo Elizabeth, “The French Antilles,” in *Neither Slave nor Free: The Freedmen of African Descent in the Slave Societies of the New World*, ed. David Cohen and Jack P. Greene (Baltimore, 1974): 134–71, at 141–44; Brett Rushforth, *Bonds of Alliance: Indigenous and Atlantic Slavery in New France* (Williamsburg, 2014), 122–32. On Spanish slave law, see Alan Watson, *Slave Law in the Americas* (Athens, 1989), 40–62.

⁹ Debate over the comparative severity of New World legal regimes began in the 1940s when sociologist Frank Tannenbaum asserted that slavery was milder in Spanish than in British colonies based on higher manumission rates in the former. Frank Tannenbaum, *Slave and Citizen: The Negro in the Americas* (New York, 1947). Notable subsequent works to explore comparative slave law include David Brion Davis, *The Problem of Slavery in Western Culture* (Ithaca, 1966), 262–88; Elsa V. Goveia, *West Indian*

James Epstein writes that “British laws were generally harsher than those of either France or Spain.”¹⁰ Another body of literature has highlighted how foreign slave practices served as templates for British policies from the 1800s to the 1820s, when ameliorating slavery became a formal government objective. This research, however, has largely overlooked how endorsements of French and Spanish legal traditions in the latter eighteenth century provided precedents for later government-driven reforms.¹¹ In short, while scholarship on both comparative slave law and amelioration has done much to contextualize British slave management within a wider Atlantic context, a focus on specific laws has deflected attention away from questions about how and why eighteenth-century Britons compared slave regulations in the first place.

This article, by contrast, examines comparisons themselves. What foreign customs and policies did commentators identify as most suitable for British colonies? What do they reveal about the priorities of those who made them? Can they tell us something about the relationship between slavery and issues such as colonial governance and imperial sovereignty? In exploring these questions, I focus primarily on commentary about French and Spanish slave regulations from the end of the American War of Independence to the beginning of the wars with revolutionary France. During this decade, hitherto disparate misgivings about the Atlantic slave system coalesced into an organized movement, as slavery came to be hotly debated in pamphlets, newspapers, parliament, and throughout the public sphere.¹² For a core group of abolitionists whose writings drove debate in this period, the practices of Britain’s chief imperial rivals provided models for their own programs of slavery reform, proving both the feasibility and advantages of amelioration. Influenced by these proposals, other British writers came to recommend emulating foreign laws, and likewise used the comparative deficiencies of British slave management as a way to prod their government into more proactively policing slaveholding in its colonies. Between 1783 and 1793, over thirty publications explicitly endorsed at least some aspect of French or Spanish slave policy.

Beyond their varying impact on the slavery debate in Britain, these texts are significant because they offer a window onto evolving attitudes toward empire more

Slave Laws of the 18th Century (Eagle Hall, 1970); Watson, *Slave Law in the Americas*; Sue Peabody and Keila Greenberg, eds., *Slavery, Freedom, and the Law in the Atlantic World: A Brief History with Documents* (New York, 2007); Rebecca Scott, “Slavery and the Law in Atlantic Perspective: Jurisdiction, Jurisprudence, and Justice,” *Law and History Review* 29, no. 4 (November 2011): 915–24.

¹⁰ James Epstein, *The Scandal of Colonial Rule: Power and Subversion in the British Atlantic during the Age of Revolutions* (Cambridge, 2012).

¹¹ For example, see J. R. Ward, *British West Indian Slavery, 1750–1834: The Process of Amelioration* (Oxford, 1988); Epstein, *The Scandal of Colonial Rule*; Robert Luster, *The Amelioration of Slaves in the British Empire, 1790–1833* (New York, 1995); Noel Titus, *The Amelioration and Abolition of Slavery in Trinidad, 1812–1834: Experiments and Protest in a New Slave Colony* (Bloomington, 2009); Kit Cadlin, *The Last Caribbean Frontier* (Basingstoke, 2012). A recent exception is Caroline Spence, “Ameliorating Empire: Slavery and Protection in the British Caribbean, 1783–1865” (PhD diss., Harvard University, 2014), esp. 27–54.

¹² Seymour Drescher, “The Shocking Birth of British Abolitionism,” *Slavery and Abolition* 33, no. 4 (Fall 2012): 571–93; Christopher Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill, 2006), esp. chaps. 6 and 7; John Oldfield, *Popular Politics and British Anti-Slavery: The Mobilisation of Public Opinion against the Slave Trade, 1787–1807* (Manchester, 1995).

broadly in the final decades of the eighteenth century. As a spate of recent scholarship has shown, defeat in America generated extensive discussion in the postwar years about the morality, structure, management, and even goals of Britain's increasingly global and multiethnic empire.¹³ Within this ferment, many proposals for reform combined humanitarian policies toward non-Europeans with efforts to centralize imperial governance within metropolitan institutions.¹⁴ Emulating certain foreign slave practices appealed to both these impulses, as it appeared to offer the imperial state a way to morally rejuvenate its empire while simultaneously actuating its claim to sovereignty over West Indian colonies. While comparisons with rival empires did not necessarily lead analysts to uncover a connection between moral rule and centralized governance, it did contribute to this general trend. Studying perceptions of French and Spanish slave regulations, therefore, helps illustrate how Britons sought to reorient their nation's overseas agenda during a transformative decade in Britain's imperial history.

IMITATING THE FRENCH

Though slavery reform had been raised by a handful of writers from the Seven Years' War onward, the topic only began garnering widespread attention with the publication of James Ramsay's 1784 *Essay on the Treatment and Conversion of African Slaves in the British Sugar Colonies*.¹⁵ Based on his twenty years as an Anglican clergyman in Saint Christopher, as well as his travels around the West Indies as a naval surgeon prior to that, Ramsay concluded that slavery throughout the region was a brutal institution. His long residency in the Leeward Islands in particular, however, convinced him that enslaved persons in French colonies were appreciably better off than those under British rule. French planters on neighboring islands were more likely to be resident on their estates, Ramsay wrote, and to "live more in a family way among their slaves, than our planters." Consequently, they "naturally contract a regard and affection for them."¹⁶ Reinforcing this paternalistic relationship was the *code noir*, which

¹³ For example, see Maya Jasanoff, *Liberty's Exiles: American Loyalists in the Revolutionary World* (New York, 2011), 5–20; Peter Marshall, *Remaking the British Atlantic: The United States and the British Empire after American Independence* (Oxford, 2012); Jack P. Greene, *Evaluating Empire and Confronting Colonialism in Eighteenth-Century Britain* (New York, 2013), esp. 296–340.

¹⁴ Abolitionism is identified as part of this wider project in a number of important works on late eighteenth-century imperialism, including Greene, *Evaluating Empire*, 317–32; Eliga Gould, *The Persistence of Empire: British Political Culture in the Age of the American Revolution* (Chapel Hill, 2000), 128–29; Andrew Jackson O'Shaughnessy, *An Empire Divided: The American Revolution and the British Caribbean* (Philadelphia, 2000), 241–48; Linda Colley, *Britons: Forging the Nation, 1707–1837* (New Haven, 1992), 350–60.

¹⁵ James Ramsay, *An Essay on the Treatment and Conversion of African Slaves in the British Sugar Colonies* (London, 1784).

¹⁶ *Ibid.*, 52–61, 92–95, 274–76, at 59–60. While French slaveowners in the Leeward Islands were in fact more likely than were their British counterparts to reside on their plantations, this pattern did not extend to Saint-Domingue, where larger estates and increased sugar production enabled higher rates of absenteeism. See David Patrick Geggus, *Slavery, War, and Revolution: The British Occupation of Saint Domingue* (Oxford, 1981), 7–12, 24–26; Malick Ghachem, "Prosecuting Torture: The Strategic Ethics of Slavery in Pre-Revolutionary Saint-Domingue," *Law and History Review* 29, no. 4 (November 2011): 985–1029, at 996.

stood in stark contrast to the minimalist slave codes in British colonies. The latter, Ramsay asserted, contained “not a single clause ... to secure to them [slaves] the least humane treatment or to save them from the capricious cruelty of an ignorant, unprincipled master.” The *code noir*, on the other hand, restrained the power of masters, and outlined the responsibilities of slave owners alongside their rights. To Ramsay, it demonstrated an “attention and benevolence of the French Government, that may well put British negligence to shame.”¹⁷

Ramsay’s commendation of French slave policy became one of the most seized upon parts of his *Essay*. To be sure, previous writers had also lauded French legislation and practices. In his 1776 *Wealth of Nations*, Adam Smith identified “the good management of their slaves” as the principal reason for “the prosperity of the sugar colonies of France ... [and their] superiority over those of the English.” Nearly two decades earlier, Edmund Burke and his cousin William had praised the *code noir*’s “just and sensible mixture of humanity and steadiness,” describing the ordinance in detail in hopes it would “excite an emulation in us [Britons].”¹⁸ Moreover, the government’s decision to retain French civil law in Quebec in 1774 had demonstrated that legal borrowing—even legal pluralism—could be an effective strategy of imperial rule. Commentary supporting this decision occasionally raised the possibility of applying the *code noir* to Britain’s Caribbean colonies.¹⁹ Prior to Ramsay, though, no writer had made imitating French slave practices a central part of a comprehensive system for improving Britain’s sugar islands. Reviewers highlighted the contrast between French and British slavery as one of the *Essay*’s principal themes, and subsequent writers cited the tract when putting forth similar comparisons.

Predictably, Ramsay’s chapter on French slave management also attracted the ire of British slave owners. In his initial response to the *Essay*, the absentee planter James Tobin accused Ramsay of being eager “to embrace every opportunity” to extol the virtues of “our inveterate and natural enemies.” Only a “rooted prejudice ... against his old friends and acquaintance[s] of the *English* islands,” Tobin wrote, could lead Ramsay to claim that slaves were better off under French rule.²⁰ Ramsay rebutted the charge by declaring Tobin “the first stranger, who, on going from an English to a French Charib island ... has not been insensibly struck with the superior advantages to the French slaves.”²¹ The two men continued to exchange

¹⁷ Ramsay, *Essay*, 63, 54.

¹⁸ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols. (London, 1776), 2:395–97; [Edmund and William Burke], *An Account of the European Settlements in America*, 2 vols. (London, 1757), 2:44–49, at 47, 48.

¹⁹ For example, see *Thoughts on the Act for Making More Effectual Provision for the Government of the Province of Quebec* (London, 1774), 17–19; William Knox, *The Justice and Policy of the Late Act of Parliament, for Making More Effectual Provision for the Government of the Province of Quebec, Asserted and Proved, and the Conduct of the Administration Respecting That Province Stated and Vindicated* (London, 1774), 56–57.

²⁰ A Friend to the West India Colonies [James Tobin], *Cursory Remarks upon the Reverend Mr. Ramsay’s Essay on the Treatment and Conversion of African Slaves in the Sugar Colonies* (Salisbury, 1785), 23, 46. In his testimony before a House of Commons committee years later, Tobin claimed to have “had some personal acquaintance” with slaves in French islands, and to have “taken some pains to inform myself of their situation.” James Tobin, 26 February 1790, *House of Commons Sessional Papers of the Eighteenth Century*, ed. Sheila Lambert, 147 vols. (Wilmington, 1975), 71:274.

²¹ James Ramsay, *A Reply to the Personal Invectives and Objections Contained in Two Answers, Published by Certain Anonymous Persons, to an Essay on the Treatment and Conversion of African Slaves, in the British Colonies* (London, 1785), 86.

intensely personal accusations and counter-accusations over the coming years, publishing a combined seven tracts between 1784 and 1788. Each one featured comparisons between the nature of slavery in French and British colonies, and writers who joined the discussion often questioned either Ramsay's or Tobin's account of French slaveholding in making their case for or against reform. According to Ottobah Cugoano, for instance, the "crafty author" Tobin provided "sundry comparisons and descriptions of the treatment of slaves in the French islands ... contrary to what is the true case." Like Ramsay, Cugoano insisted that the treatment of the slaves in French islands was considerably "milder" than in British ones.²²

In his *Essay*, Ramsay identified two types of clauses in the *code noir* as particularly estimable: those protecting the physical and material welfare of enslaved persons, and those designed to foster Christianity among them. Included in the former category were articles outlining the minimum amounts of food and clothing that masters were required to provide, along with clauses specifying fixed periods of rest from labor. Other aspects of the code's protective mandate limited the types and extent of punishment masters could legally inflict by assigning set penalties to common transgressions. While the punishments outlined were harsh (including death for recidivists), British analysts tended to focus on the fact they were codified, were in theory known to all French slaves, and were administered by public officials. To abolitionists such as William Dickson, this standardization served to "abridge the exorbitant powers of owners and managers, and ... effectually secure the COMFORT, protect the PERSONS and the LIVES" of the enslaved. Urging the British government to adopt a similar pan-imperial slave code, he noted what "a glorious emulation" it would be "for two great nations to rival one another in justice and humanity."²³

The second aspect of the *code noir* endorsed by Ramsay concerned the promotion of Christianity among the enslaved population. Issued the same year in which the Revocation of the Edict of Nantes formally proscribed Protestantism in France, the *code noir* was part of a wider effort by Louis XIV to extend religious uniformity throughout the nation and its empire. Taken together, its first five articles forbade the public exercise of any religion but Catholicism and mandated that all slaves be baptized into the faith. Though he vehemently opposed Catholic doctrine, Ramsay commended the seriousness with which both France and Spain heeded the call to spread the gospel. Like other writers who deemed it a "disgrace" that "religious instruction has been more attended to in the Popish colonies than in the English," Ramsay denounced what he saw as "the listless indifference of Protestants."²⁴ To overcome Britain's hitherto negligence, the *Essay* recommended "imitation of the Roman Catholics in bestowing baptism" on the enslaved and extending the sacrament of Christian marriage to them.²⁵ Ramsay also appealed to Britain's political and ecclesiastical leaders to follow France's lead by sending more missionaries to the West Indies to work specifically with Africans and their descendants.

²² Ottobah Cugoano, *Thoughts and Sentiments on the Evil of Slavery* (London, 1787), 18.

²³ William Dickson, *Letters on Slavery* (London, 1789), 169–70, 100.

²⁴ [Joseph Woods], *Thoughts on the Slavery of the Negroes* (London, 1784), 26; James Ramsay, *An Inquiry into the Effects of Putting a Stop to the African Slave Trade, and of Granting Liberty to the Slaves in the British Sugar Colonies* (London, 1784), 38.

²⁵ Ramsay, *Essay*, 261, 284.

In part, Ramsay's call to more vigorously propagate the gospel abroad reflected a long-standing fear that Catholic powers were winning the competition between nations and denominations for non-European converts. Over the course of the eighteenth century, a handful of British observers had taken note of successful Jesuit efforts to spread the faith among indigenous peoples in the Americas. William Wilberforce, for one, sought information on Jesuit strategies in the belief that they would "prove a most useful subject of investigation for anyone who would form a plan for the civilization of Africa."²⁶ In the West Indies in the 1780s and early 1790s, a number of Ramsay's fellow clergy echoed his warning about Catholicism outpacing Protestantism. In Grenada, home to both French and British-owned plantations, Church of England ministers reported that "the Roman Catholic priests ... have laboured with much Assiduity," and that "there is little or no Hope of our making proselytes" at a similar rate without greater support from Britain. As Reverend William Gordon substantiated, "in places where Popery and Protestantism are professed as in the island of Grenada, the Negroes are more inclined to Popery" because of their greater exposure to it.²⁷ Based on reports from clergy throughout the West Indies, the Oxford divine William Agutter put the origins of this discrepancy succinctly: "The Spaniards, the French, and the Portuguese, endeavour to instruct, to improve, and to convert their slaves: but the Protestants the English do not."²⁸

While foreign practices and regulations were of interest to a number of Britons concerned with growing Protestantism abroad, the *code noir* held particular appeal for those who believed that control over one's body and labor were necessary preconditions for understanding religion and—by extension—for moral personhood. During the final decades of the eighteenth century, this position was most associated with converts to evangelicalism. Both within and outside the Church of England, evangelicals made the case that security in the necessities of life was a requisite for freely choosing Christianity: only once one's physical needs were met, they argued, could a person devote sufficient time and energy to contemplating God. According to this worldview, spiritual bondage was a by-product of the intensity of physical bondage. Ending the former therefore required mitigating the latter.²⁹ With its dual emphasis on securing the physical and spiritual welfare of the enslaved, the *code noir* offered a template for simultaneously ameliorating the hardships of slavery and cultivating an understanding of Christianity.

In the years following the American War, no one made this argument more directly than did Beilby Porteus, the evangelical bishop of Chester. Based largely on information provided by Ramsay, who himself held evangelical leanings, Porteus in 1783 delivered a sermon before the annual meeting of the Society for the Propagation

²⁶ William Wilberforce to William Robertson, cited in John Charles Pollock, *Wilberforce* (London, 1977), 76.

²⁷ Clergy of Grenada to Beilby Porteus, St. George's, Grenada, 30 September 1788, Fulham Papers, vol. 20, fols. 18–19, Lambeth Palace Library (hereafter LPL); William Gordon to Beilby Porteus, Exuma, Bahamas, 2 September 1792, Fulham Papers, vol. 15, fol. 90, LPL.

²⁸ William Agutter, *The Abolition of the Slave Trade Considered in a Religious Point of View; a Sermon Preached before the Corporation of the City of Oxford, at St. Martin's Church, on Sunday, February 3, 1788* (London, 1788), 24.

²⁹ The most thoroughgoing examination of evangelical theology and antislavery remains Roger Anstey, *The Atlantic Slave Trade and British Abolition, 1760–1810* (Atlantic Highlands, 1975), esp. 157–99.

of the Gospel in Foreign Parts. In it, he urged trustees of the church-owned Codrington plantation in Barbados to implement a series of reforms, many modelled directly on the “admirable regulations” contained in the *code noir*.³⁰ The following year, Porteus presented the Society with a comprehensive plan for ameliorating slave life on Codrington that further extolled French policy.³¹ Arguing that efforts to educate slaves in Christianity could only succeed if accompanied by measures to protect their physical wellbeing, he implored Codrington’s trustees to “compose a *Code Noir* for their own estates,” consisting of “certain grants and privileges, which they [slaves] should have a right to claim, and of which it should not be in the power of a cruel and oppressive manager to deprive them.”³² Upon his translation from Chester to the bishopric of London in 1787, Porteus assumed ecclesiastical authority over all British colonies. From this position of influence, he continued advocating slavery reform along French lines, frequently asking clergy stationed in the West Indies about the applicability of French laws to British islands.³³

ALTRUISM AND AUTHORITY

For Beilby Porteus, a more humane and expansive slave code had the potential not only to ameliorate slavery in the West Indies; it could also, he hoped, catalyze a moral reformation in colonial societies more broadly. As the activist bishop recognized, though, effectively enforcing legislation would be as central to realizing these goals as passing new regulations in the first place. In thinking about the issue of compliance, Porteus again drew inspiration from the French. If French slaves “are not fed and cloathed [*sic*] as the laws prescribe, or if they are in any respect cruelly treated,” he wrote, “they may apply to the *Procureur*, who is obliged by his office to protect and redress them.”³⁴ As Porteus correctly observed, the *procureur* was a public official (often a colony’s attorney general) whose principal responsibilities included hearing slaves’ complaints, interceding in disputes between slaves and masters, and prosecuting masters in cases of abuse or neglect. The post can be traced back to the Roman civil law position of *defensor civitatis*—an official charged with representing disadvantaged social groups before the state. In the imperial context, it had analogs in the Spanish offices of *protector de esclavos* (also known as *síndico procurador*) and *protector de indios*. Along with highlighting the French *procureur*, Porteus singled out the *protector de indios* as offering a model for a protector

³⁰ Beilby Porteus, *A Sermon Preached before the Incorporated Society for the Propagation of the Gospel in Foreign Parts* (London, 1783), 15. Porteus reports having “corresponded & conversed” with Ramsay prior to writing his sermon in “Porteus Diary,” Porteus MS 2099, fols. 57–59, LPL. Reviews of Porteus’s sermon tended to identify emulating the *code noir* as one of its principal aims. For example, see “Review of a Sermon...,” *Gentleman’s Magazine*, no. 53 (October 1783): 859–60.

³¹ Beilby Porteus, “An Essay towards the More Effectual Civilization and Conversion of the Negro Slaves, on the Trust Estate in Barbados...,” in *The Works of the Right Reverend Beilby Porteus*, ed. Robert Hodgson, 6 vols. (London, 1823), 6:165–217, esp. 176–200 and 206–7.

³² *Ibid.*, 190.

³³ Few copies of Porteus’s letters to the West Indies survive, but extant responses clearly indicate the questions he asked. See assorted letters to Porteus from 1788 to 1791 in Fulham Papers, vols. 15–20, LPL.

³⁴ Porteus, *Sermon*, 16.

figure for Britain's sugar islands.³⁵ In his view, protective offices in French and Spanish colonies imbued efforts to regulate relations with non-Europeans with a degree of efficacy and impartiality that was absent in the British West Indies.

Porteus was far from alone in arguing that the only way to realize slavery reform was for the imperial state to take an active role in its enforcement. As commentators pointed out, colonial judicial and police apparatuses were composed almost entirely of colonists, who naturally regarded slaves—not masters or overseers—as most in need of monitoring. This absence of a supervening authority effectively made slave owners, as the former chief justice of Saint Vincent put it, “beyond the reach of the law.”³⁶ Though statutes in all colonies prohibited the wilful murder of enslaved persons, Africanus noted that in the history of the British West Indies there had not been “above three or four instances of Planters” having been charged for the crime; “still fewer of them have been punished.”³⁷ A culture of impunity also meant that revised slave codes passed in the 1780s and 1790s—part of the plantocracy's effort to forestall abolition—were, as William Wilberforce told parliament, “a dead letter.”³⁸ The lawyer Arthur Browne applauded many articles in Jamaica's Consolidated Slave Act of 1792, for example, but noted that “to give energy and effect to that act, some public officer is wanting, OBLIGED to defend the rights of the negroes.” “In this respect,” he continued, “the French Colonies have the advantage ... their *Code Noir* is much more forcible ... [since] a King's Attorney was bound to prosecute wherever he learned of abuses.”³⁹ After remarking on how British slaves “receive harsher treatment than those belonging to the French or Spaniards,” a correspondent to the *Gentleman's Magazine* made the same point with a rhetorical question: “What are laws,” he asked, “in the hands of those whose interest is to pervert them?”⁴⁰

As the above comments indicate, most analysts who called for a protector figure for British colonies identified safeguarding the physical welfare of enslaved persons as the office's primary responsibility. Among a smaller group of individuals who developed more detailed programs for slavery reform, however, at least a handful hoped to imbue the position with a much wider set of duties in order to help advance their ambitious agendas. James Ramsay, for instance, called for a state-appointed officer both to enforce statutes and to provide moral instruction to the enslaved population. By “mixing the authority of the master ... with the exhortations of the teacher,” this individual would inspire in those under his care a “love for his doctrine,” guiding them towards more Christian lives.⁴¹ Similarly, Beilby Porteus

³⁵ Porteus, “An Essay,” 198–200. On Spanish protective offices, see Alejandro de la Fuente, “Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*,” *Hispanic American Historical Review* 87, no. 4 (November 2007): 659–92, at 665 and 670–71; Spence, “Ameliorating Empire,” 47–52.

³⁶ Drewry Ottley, in Lambert, ed., *House of Commons Sessional Papers of the Eighteenth Century*, 82:158. The retired jurist went on to recommend that instead of an individual, “councils of protection or guardians should be appointed ... to inspect the treatment of Slaves, and to see that those provisions which may be made for their benefit are put in force.” *Ibid.*, 161.

³⁷ Africanus, *Remarks on the Slave Trade*, 53.

³⁸ William Wilberforce, 18 April 1791, *Parliamentary History of England*, 29:273.

³⁹ Arthur Browne, *A Compendious View of the Civil Law, Being the Substance of a Course of Lectures Read in the University of Dublin*, 2 vols. (London, 1798), 1:66–67.

⁴⁰ “Letter to the Editor,” *Gentleman's Magazine*, no. 58 (March 1788): 211–12.

⁴¹ Ramsay, *Essay*, 269–70.

envisioned a relatively expansive mandate for a position he referred to as “Guardian of the Negroes.” Beyond acting as “a legal *protector* for the injured slaves” (like the “pleasant and delightful institution” of the French *procureur*), the “Guardian” would work alongside a catechist to advance slaves’ “moral and spiritual concerns.”⁴² Long an admirer of both French and Spanish slave management strategies, Edmund Burke made a protective office central to his 1780 Negro Code—a seventy-four-point plan for regulating slavery and the slave trade, and for gradually eliminating both.⁴³ As in the French system, in Burke’s scheme the attorney general of each colony would assume the position of “Protector of Negroes,” responsible for securing slaves’ material welfare, interceding in disputes with masters, and investigating breaches of the code. In parts of his plan, though, Burke went well beyond any French or Spanish precedent. Among other things, his proposed “Protector” was to keep a registry of slaves; inspect ships upon arrival in the West Indies to ensure regulations during the Middle Passage were met; identify enslaved children of exceptional intelligence to be sent to London to be educated; and purchase the freedom of “any Negro who shall appear to him to excel in any mechanical art.”⁴⁴ While aspects of his program were remarkably quixotic, Burke nonetheless believed wide-ranging reforms could be attained if overseen by a public official charged primarily with defending the welfare of slaves—not the interests of masters. That both he and Porteus would have charged a protector figure with sending regular reports to officials in London underscores how they conceived the position as involving the supervision of masters and slaves alike.⁴⁵

In terms of policy, calls to establish protective offices in British islands went unheeded until the early nineteenth century. But in antislavery publications in the 1780s and beginning of the 1790s, advocates of reform used the fact that such an institution existed in French islands in order to underscore a troubling contradiction that lay at the heart of Britain’s Atlantic empire. Eighteenth-century Britons considered themselves the most politically free people in Europe, and colonists had long argued it was the extension of English common law to the colonies that provided them the right to legislate on internal matters. As appendages of an absolutist state, French islands, by contrast, were more squarely under the authority of the king and his administrators across the ocean. Yet as a number of British writers pointed out, it was precisely this concentration of sovereignty that imbued royally appointed officials with both the right and ability to monitor slavery in French colonies. That such an authoritarian system led to the comparatively benign treatment of enslaved peoples presented what some described as a paradox. As the novelist James White put it, “That arbitrary power should ever be a friend to liberty, or to the alleviation of slavery, may appear a thing too opposite to its very nature to be admitted. But so it is.” The cleric and political economist Josiah Tucker stated the matter similarly: “[T]hough absolute governments are tyrannical themselves, they are also a great check on the tyranny of their subjects.” Tucker proceeded, “The

⁴² Porteus, “An Essay,” 176, 198.

⁴³ Edmund Burke, “Sketch of a Negro Code,” [1780], Windham Papers, Add. MS 37890, fols. 3–12, British Library (hereafter BL). Subsequent references from Edmund Burke, *The Works of the Right Honourable Edmund Burke*, 16 vols. (Boston, 1826), 5:188–212.

⁴⁴ *Ibid.*, 211.

⁴⁵ *Ibid.*, 197; Porteus, “An Essay,” 208.

English planters are more their own masters ... than those of any other nation,” but “the very form of the English constitution, originally calculated for the preservation of liberty, in this instance tends to destroy it.”⁴⁶ In his *Wealth of Nations*, Adam Smith identified the correlation between colonists’ lack of political liberty and the humane treatment of slaves as not unique to the French empire. Casting his gaze as far back as ancient Rome, he concluded that “the history of all ages and nations” proved that “the condition of a slave is better under an arbitrary than under a free government.”⁴⁷

The relationship that British writers detected between centralized government and the welfare of enslaved persons did not mark a wholesale endorsement of the French imperial system. As Linda Colley has shown, the association between French absolutism and political oppression remained strong in the British psyche well into the nineteenth century.⁴⁸ Yet the notion that slaves under French rule were better off than those under British authority did help throw light on tensions inherent in the structure of sovereignty in the British Atlantic. For the author Henry Lemoine, it underscored the hypocrisy of colonists who clamored for political liberty while mistreating their human chattel; as he noted in 1786, “[S]laves in French colonies are not nearly so much oppressed as those who are under the descendants of Britons, who boast so loudly of their birthright.”⁴⁹ A decade earlier, Adam Smith had cited the comparative defects of British slave regulations as proof of the danger of a system in which “the authority of the assembly over-awes the executive.”⁵⁰ Many who read his writings agreed. These included Thomas Burgess, future bishop of St David’s, who in 1789 cited “the gentle usage” of French slaves as an argument for endowing colonial governors with greater power to enforce legislation. Burgess acknowledged that emulating the “mild despotism of France” would represent “a paradox,” but claimed it was the only way to prevent enslaved persons from continuing to be “treated with greater cruelty in the British colonies, than in the French and others.”⁵¹ Recommendations from advocates of slavery reform in the West Indies often substantiated these opinions, such as one from the Barbadian estate manager Samuel Estwick. While Estwick supported an empire-wide slave code modelled on the *code noir*, he conceded that enforcing such a law would be difficult due to “the limited power of our monarchy” compared to “the Crown of France.”⁵² Also writing from Barbados, Reverend John Duke informed Granville Sharp that officials on the island would require the same level of “legislative or gubernatorial Authority”

⁴⁶ James White, *Hints for a Specific Plan for an Abolition of the Slave Trade, and for the Relief of the Negroes in the British West Indies* (London, 1788), 18–19; Tucker, *Reflections*, 10.

⁴⁷ Smith, *An Inquiry*, 2:395.

⁴⁸ Colley, *Britons*.

⁴⁹ Henry Lemoine, *The Kentish Curate*, 4 vols. (London, 1786), 4:138–39. A politically attuned readership would have detected in Lemoine’s remarks echoes of Samuel Johnson’s famous 1775 questioning of why the “loudest yelps of liberty” came from “the drivers of negroes.”

⁵⁰ Smith, *An Inquiry*, 2:391.

⁵¹ Thomas Burgess, *Considerations on the Abolition of Slavery and the Slave Trade, upon the Grounds of Natural, Religious, and Political Duty* (Oxford, 1789), 89, 128, 95. Burgess quoted Smith at length while making the case that variances in British and French slave management were due to “difference of civil government in the two parent states.” *Ibid.*, 83–95.

⁵² Samuel Estwick, *Considerations on the Negroe Cause Commonly So Called, Addressed to the Right Honourable Lord Mansfield*, 2nd ed. (London, 1773), 26.

as existed in French colonies if ameliorative regulations had any hope of being implemented.⁵³

In the final decades of the eighteenth century, it was not only assumptions about the superior treatment of French slaves that lead British commentators to encourage their government to consolidate and enhance its control over empire. The loss of America and waning authority in Ireland both demonstrated the consequences of allowing colonial elites too much political autonomy. The displacement of indigenous peoples in mainland North America proved that, without proper oversight, colonists would disregard the welfare of non-Europeans in furthering their aims. Perhaps most significantly, proliferating stories about rapacious East India Company officials revealed the devastating effects of allowing private enterprise overseas to go unchecked. These and other examples of abuse all called into question the natural right of Britain's ruling class to manage the affairs of the empire, and in so doing put pressure on politicians to reign in the autonomy of various imperial actors.⁵⁴ Within this wider political environment, it was becoming increasingly clear to those with misgivings about West Indian slavery that ameliorating the institution could not be left to the initiative of colonists. Perceptions of foreign slave policy in general, and of protective offices in particular, appeared to confirm this link between centralized authority and moral imperium. Similar to the lessons furnished by other spheres of empire, then, thinking about slavery in a pan-Atlantic context led analysts to conclude that meaningful reform could only occur if slaveholding were brought under the aegis of the imperial state.

FROM AMELIORATION TO EMANCIPATION

Not without reason, slave owners in the years following American independence tended to view proposals for empire-wide slavery reform modelled on foreign regulations as threats to colonial self-government. Yet looking at the theme of slavery amelioration over a longer timeframe reveals that planters were not always wholly averse to borrowing policies and strategies from their competitors. Concerned by the meteoric rise in sugar exports from Saint-Domingue from the Seven Years' War onward, a number of British slaveholders studied the agronomy, technologies, business models, and slave management practices employed on French plantations as part of their effort to make slaveholding more efficient and profitable.⁵⁵ In his three-volume *History of Jamaica* (1774), for instance, Edward Long highlighted the merits of French slave regulations in a number of places. According to Long, well cared-for slaves who were protected from abuse were strong, efficient workers. Moreover, good treatment led to longer working lives and higher birthrates,

⁵³ Duke to Sharp, St Thomas, Barbados, 27 March 1784, 13/1/D20, Gloucestershire Records Office (hereafter GRO).

⁵⁴ P. J. Marshall, "Empire and Authority in the Later Eighteenth Century," *Journal of Imperial and Commonwealth History* 15, no. 2 (January 1987): 105–22; Christopher A. Bayly, *Imperial Meridian: The British Empire and the World, 1780–1830* (New York, 1989); Greene, *Evaluating Empire and Confronting Colonialism*, esp. 296–340.

⁵⁵ On planter-led amelioration, see Justin Roberts, *Slavery and the Enlightenment in the British Atlantic, 1750–1807* (New York, 2013); Dierksheide, *Amelioration and Empire*; Davis, *The Problem of Slavery in Western Culture*, 259–60.

thereby requiring French planters to purchase fewer Africans annually than British planters in order to maintain their workforces. Because French laws made sound economic sense, Long appended an annotated translation of the *code noir* to his *History*, hoping it would be received “not merely as [a] matter of curiosity, but [as] an example ... worthy [of] our imitation.” Anticipating the language of metropolitan reformers in the decades to come, he rhetorically asked his fellow slave owners, “[W]hy should we not ... interweave so much of their jurisprudence, a[s] may serve to render our own more compleat [*sic*] and valuable?” “Let us not to be deaf to instruction,” Long urged, “even though it comes from our rival.”⁵⁶

In addition to curbing the physical and material hardships of slavery, elevating the spiritual condition of the enslaved was also cited by reform-minded planters as potentially both socially and economically advantageous. Their logic was simple: converting slaves to Christianity would make them more accepting of authority and less prone to resistance. As “A Professional Planter” who claimed that French slaves were “incomparably better disposed than our own” argued, “every endeavour ... should be used in imitation of the French, to create a due reverence” for religion, as this would contribute “not only to the spiritual good of the slaves, but to the temporal benefit of the master.”⁵⁷ An “Inhabitant of Jamaica” noted that regular religious instruction fostered the values of “*Obedience, Honesty, and Faithful Servitude*,” which would lead to a reduction in slave executions for criminality and “a very large savings” for slaveholders.⁵⁸ These assessments paralleled those contained in letters from clergy and officials in the West Indies to advocates of slavery reform in Britain. Based on their experiences, a number of correspondents reported that internalizing Christian teachings would make slaves more accepting of both their earthly fate and their masters’ discipline. “If religious instructions and humane treatment were practiced here as in the French colonies,” one clergyman in Jamaica informed Beilby Porteus, “the internal peace of this island would be most effectively secured.”⁵⁹ The acting Governor of the Virgin Islands likewise expressed to Porteus his certainty “that instructing slaves in the Christian Religion will render them more tractable and trusty, and Consequently more usefull & valuable to their Proprietors.”⁶⁰

These reports helped reformers make the case to planters that dispatching missionaries to work with enslaved persons would in no way undermine existing labor relations in the West Indies. In fact, they claimed just the opposite would occur: that regular religious instruction would enhance masters’ control over those in bondage and, ultimately, the profitability of slavery itself. As Ramsay argued, once religion

⁵⁶ Edward Long, *The History of Jamaica*, 3 vols. (London, 1774), 2:440–41; 3:921–34, at 921. However, though holding out the *code noir* as an exemplar for British colonies, Long also claimed that the law was frequently evaded. *Ibid.*, 2:140, 3:935–36. This became a common refrain among British slave owners in the following decades. For example, see Bryan Edwards, *An Historical Survey of the French Colony in the Island of St. Domingo* (London, 1797), 10.

⁵⁷ A Professional Planter [Dr. Collins], *Practical Rules for the Management and Medical Treatment of Negro Slaves in the Sugar Colonies* (London, 1803), 226, 216, and 223.

⁵⁸ An inhabitant of Jamaica [Reverend Doctor John Lindsay], “A Few Conjectural Considerations upon the Creation of the Human Race Occasioned by the Present Quixottical Rage of Setting the Slaves from Africa at Liberty” (unpublished manuscript), 1788, Add. MS 12439, fols. 173b and 183b, BL.

⁵⁹ Stanford to Porteus, Westmoreland, Jamaica, 22 July 1788, Fulham Papers, vol. 18, fol. 68a, LPL.

⁶⁰ William Twinbull in T. Lyttleton to Porteus, 25 October 1788, Fulham Papers, vol. 20, fols. 106–7, LPL.

makes “an impression on their [slaves’] minds ... submission to their masters and a full obedience to their commands ... are strongly enforced [*sic*].” Porteus made this point even more laconically: “The best Christian[s],” he told one colonist, “make the best servants.”⁶¹ Yet coming from individuals such as Ramsay and Porteus, this argument would have struck slave owners as at least somewhat disingenuous. Despite assuring planters that reforms would strengthen slavery, both men also expressed a clear (though muted) desire to one day see the institution eradicated. While on the one hand telling West Indians that reforms would make slaves more “tractable,” Ramsay, for instance, also wrote of his hope that “regulations would lay a foundation for that far distant time ... when liberty shall claim every exiled African for her own.” According to Porteus, it would be “wonderfully pleasing ... if the Negroes on any of our plantations were emancipated *gradually*.” Joseph Woods, who enthusiastically endorsed the *code noir*, also expressed a dual desire. Laws designed to lessen the plight of slaves were worthwhile in their own right, he wrote, but the end goal of legislation pertaining to the sugar colonies should be the “gradual ... but total abolition of slavery.”⁶²

For those who supported the eventual goal of emancipation, foreign laws and practices appeared to offer a number of ways to further this objective. None was more significant than the effect that slavery reform was expected to have on enslaved persons themselves. With few exceptions, eighteenth-century emancipationists believed that slaves ought to be educated in Christian family life and other prerequisites for citizenship prior to being granted full freedom. Liberty, they contended, was a gift to be bestowed only to those whose personal conduct demonstrated their commitment to European values and norms. As Edmund Burke put it, slaves must be “fitted to fill the office of freemen” before they attained the status.⁶³ In this line of thinking, slavery was cast as a period of apprenticeship during which enslaved persons could become “civilized” through learning the importance of labor discipline, obedience to authority, and moral probity. With its standardized rules and attention to religious instruction, the *code noir* was seen by some activists as a proven template for inculcating these values. By endowing slaves with a basic set of rights, a comparable code in British colonies would help raise the physical, intellectual, and moral conditions of those in bondage, thus equipping them with the tools necessary to handle the demands of future freedom. In this sense, legislation modelled on the *code noir* could pave the way for British colonies to one day transition from a slave to a wage labor system with minimum social disruption.

Another way to prepare enslaved men and women for freedom was to invest them with greater responsibility for their personal, familial, and communal welfare than was hitherto customary. According to a number of writers on the topic, providing slaves with greater influence in shaping their lives and futures would help them develop both the skills and outlook required for self-determination. They therefore put forward proposals that sought to protect certain spheres of slave life from unwarranted interference by masters. While some called for laws prohibiting the separation of husbands and wives, similar to those in effect in French and Spanish colonies,

⁶¹ Ramsay, *Essay*, 163; Porteus to unknown, London, 22 May 1788, Fulham Papers, vol. 20, fols. 188–89, LPL.

⁶² Ramsay, *Essay*, 286; Porteus, *Sermon*, 23; [Woods], *Thoughts on the Slavery of the Negroes*, 31–32.

⁶³ Burke, “Negro Code,” 211.

others applauded foreign legislation that prevented owners from selling slaves off of their estates to pay debts. In order to instill a respect for the law, Ramsay and Granville Sharp each endorsed the idea of courts in which enslaved persons would judge and penalize their own for misdemeanor violations against each other and the community.⁶⁴ In what would have amounted to a more fundamental restructuring of colonial slavery, some supporters of emancipation proposed paying slaves a modest income for their labor. In the short run, it was hoped, the ability to acquire and accumulate property in the form of wages would condition enslaved men and women to a sense of ownership over their futures. In the longer term, it would prepare them for the market economy in which, once emancipated, they would be expected to willingly participate as agricultural workers.

Earning and accruing wages could also contribute to manumission in a more direct way. As Christopher Brown has observed, a number of British proposals for emancipation from the era of the American Revolution featured avenues through which enslaved persons could use their earnings to buy their freedom. In most of these schemes, liberty was to be worked out gradually and by degrees: only once an individual could pay a predetermined sum and demonstrate compliance with other conditions would he or she be granted full independence.⁶⁵ In working through the logistics of self-purchase, some proponents of the idea drew inspiration from the Spanish practice of *coartación*. Having evolved customarily in Cuba from the sixteenth century onward, *coartación* was based on slaves hiring out their labor to their masters during days off in exchange for funds to be put towards manumission. *Cortado* slaves (that is, slaves who had negotiated a payment schedule with their masters, and had the agreement approved by a judge) generally began their period of bondage with one day off per week.⁶⁶ Once they saved the requisite income, they could then purchase a second day per week, to be used for wage labor as well. This process would continue until an individual earned enough money to buy his or her freedom. Though *coartación* was not formally written into Spanish colonial law until 1842, by the final decades of the eighteenth century its basic contours were well established. Moreover, enslaved men and women by this decade had succeeded in bringing the practice under the oversight of colonial officials. Not only did judges record and enforce agreements between owners and *cortado* slaves, but they also determined the price of full freedom, which could not be altered once set.⁶⁷

Whereas French slave law was codified and widely accessible to British readers, information about Spanish slave practices was difficult to come by. Though British officials were struck by the good treatment of Cuban slaves when they toured parts of the island during Britain's brief occupation in 1762–63, no one at the time formally recorded Spanish slave practices. Indeed, the first published

⁶⁴ Ramsay, *Essay*, 193; Sharp, "Proposals for the Gradual Enfranchisement of the Slave in a West-India Estate Sent to Mr. *** with Mr. Ramsay's Book against Slavery," box 3826, 13/3/55, fols. 1–3, GRO.

⁶⁵ Brown, *Moral Capital*, 234–36.

⁶⁶ The term *cortado* comes from the verb *coartar*, meaning to "limit" or "cut off" (that is, to cut off the period of enslavement). Herbert Aimes, "Coartación: A Spanish Institution for the Advancement of Slaves into Freedmen," *Yale Review* 18 (February 1909): 412–31, at 414.

⁶⁷ The most thorough English-language study of *coartación* is de la Fuente, "Slaves and the Creation of Legal Rights." See also Alejandro de la Fuente, "Slave Law and Claims-Making in Cuba: The Tannenbaum Debate Revisited," *Law and History Review* 22, no. 2 (Summer 2004): 339–69; Watson, *Slave Law*, 51–56; Peabody and Grinberg, *Slavery, Freedom, and the Law*, 16; and Aimes, "Coartación."

description of *coartación* in Britain did not appear until 1776, coming in the form of an appendix to an antislavery tract by Granville Sharp. Titled “The Regulations lately adopted by the *Spaniards*, at the *Havanna*, and some other Places, for the gradual *enfranchisement of Slaves*,” the appendix was based on information supplied by the London merchant Brook Watson, who had spent part of his teenaged years in Cuba aboard his uncle’s ship.⁶⁸ Based on Watson’s recollections, Sharp reported that Cuban slave owners were “obligated, by law” to provide slaves with one working day to themselves, and to pay them “the *wages of a freeman*” if they labored on that day. Once a slave had earned the equivalent of one-fifth the cost of his initial purchase, he could then use those funds to redeem a second day per week, “and so, likewise, the remaining four days, at the same rate ... after which *he is absolutely free*.” In addition to outlining the steps involved in the system of self-purchase, Sharp advertised its advantages to slave owners. The prospect of freedom would spur even the indolent to industry, he claimed, and the gradualness of the process would ensure those who did obtain liberty were first “enured [*sic*] to the labour of the country,” making them “the most useful subjects that a colony can acquire.” Believing the price of full manumission to be roughly equivalent to the enslaved persons’ original cost, Sharp also emphasized how *coartación* enabled slave owners to recoup their initial investment, thereby rendering slaveholding “less expensive to the planter.”⁶⁹

Sharp’s appendix generated significant interest within emerging abolitionist circles in the decade and a half following its publication. During this period, over a dozen British writers included a description of what came to be known as “the Spanish Regulations” in their own antislavery tracts. In almost all of these pieces, the author also called attention to the merits of aspects of French slave policy. The proliferating awareness and endorsement of *coartación* in the Anglo-Atlantic world was largely the result of Sharp’s own initiatives. As early as 1772, he had sent a sketch of the practice to a Quaker correspondent in Pennsylvania, who in turn relayed it to the physician and abolitionist Benjamin Rush. Rush proceeded to publish and distribute the information throughout the mid-Atlantic colonies.⁷⁰ Heartened by “the most extraordinary manner” in which the idea was received, Sharp continued disseminating accounts of self-purchase in Cuba to correspondents ranging from planters to estate managers to clergy.⁷¹ Accompanying each of these descriptions were suggested

⁶⁸ Granville Sharp, *The Just Limitation of Slavery in the Laws of God, Compared with the Unbound Claims of Africa Traders and British American Slaveholders* (London, 1776), 54–55. Sharp identifies Watson as his “only authority,” in Sharp to David Barclay Esq., “Copy of a Letter to the late worthy Bishop of Peterborough (Dr. Hinchliffe) dated 12 March 1781, towards the close of the American War,” box D3549, 13/1/P23, GRO. My thanks to Caroline Spence for sharing her notes on Watson with me. In a letter to an unidentified correspondent, likely written in 1772, Sharp notes, “I have never seen an account of the Spanish regulations in writing.” Sharp to unnamed, in A Pennsylvanian [Benjamin Rush], *An Address to the Inhabitants of the British Settlements, on the Slavery of the Negroes in America...* (Philadelphia, 1773), 20.

⁶⁹ Sharp, *The Just Limitation of Slavery*, 54–55.

⁷⁰ [Rush], *An Address to the Inhabitants of the British Settlements*, 20–21. A number of publications simply copied verbatim from Sharp’s letter, as published by Rush. For example, see the anonymous annotations in John Wesley, *Thoughts upon Slavery* (Philadelphia, 1774), 43.

⁷¹ Sharp to Barclay, undated, box D3549, 13/1/P23, GRO; Sharp to Barclay, 23 May 1807, box D3549, 13/1/B6, GRO.

modifications, such as having *cortados* begin their enslavement with one and half days to themselves instead of one, and defining a work day as no more than ten hours. Despite such recommendations, Sharp assured his correspondents, “All these proposals concur for the most part in the same points, and contain nothing inconsistent in each other.”⁷²

Yet because *coartación* was an evolved rather than a codified practice, ambiguity concerning its details remained even once its essential features were widely known. In 1781, Sharp himself asked Brook Watson to confirm the veracity of his appendix, confessing that it might reflect a “defective memory” of their conversation years earlier.⁷³ Charged with investigating slavery in foreign colonies, even government officials complained in 1789 about their inability to procure reliable information concerning the practice.⁷⁴ As late as 1807, no less an authority on West Indian slavery than Thomas Clarkson appealed to Sharp for “an accurate account of the Spanish Regulations,” seeking clarity in particular about the rate at which slaves could purchase days from their masters.⁷⁵

Difficulty obtaining a definitive account of the particulars of *coartación* did not prevent the idea of self-purchase from featuring prominently in British schemes for emancipation. In his 1780 Negro Code, Edmund Burke stipulated that freedom by degrees should be made available to every enslaved man over the age of thirty with at least three children “born to him in lawful matrimony,” whose “good behaviour” and “regularity in the duties of religion” could be vouched for by a minister.⁷⁶ James Ramsay proposed creating a table specifying fixed salaries for fixed periods of labor. While he argued that slaves should be allowed to use their earnings to buy out their liberty, he also believed that those thus emancipated should be required to work on plantations for a set period after becoming free. “In this situation,” he wrote, former masters would act as the “patrons and benefactors” of liberated slaves, and “would still have the same people to do their work, [but] better than at present.”⁷⁷ Beilby Porteus agreed that enfranchised slaves “should be obliged to continue for a stated time, as day-labourers on the plantation, and at a certain price.” Like Sharp and Ramsay, he too sought to convince planters of the merits of self-purchase, claiming that former slaves who had earned their freedom—“a new race of free,

⁷² Sharp, “Proposals for Gradual Enfranchisement,” box 3826, 13/3/55, fols. 2–3, GRO; Sharp to Archbishop of Canterbury, 9 October 1788, box 3811, 13/1/C3, GRO.

⁷³ Sharp to Watson, 26 February 1781, box D3549, 13/1/W9, GRO.

⁷⁴ Officials did report, though, that *coartación* was sufficiently widespread to help explain the “near Twenty Thousand free People of Colour in the City of Havannah alone.” Proportionally, this made the free black population of Cuba significantly larger than that of British colonies. Lambert, *House of Commons Sessional Papers*, 70:377. Britain’s ambassador to Spain, William Eden, obtained a written description of *coartación* in 1789 as part of a proposed slave code for Cuba, but few Britons appear to have taken note of the document. “*Real cedula ... concediendo libertad para el comercio de negros con las islas de Cuba*,” Auckland Papers, Add. MS 34429, fol. 27, BL.

⁷⁵ Clarkson to Sharp, London, 27 May 1807, D3549/13/C15, GRO.

⁷⁶ Burke, “Negro Code,” 211. There is no mention of *coartación* in Edmund and William Burke’s sections on slave regulations in their 1757 *An Account of the European Settlements in America*. This absence suggests that Burke only became aware of the practice at a later date, perhaps via Sharp’s appendix. The Negro Code also contained a clause identical to the Spanish custom of *pedir papel*, whereby a magistrate could order a master to sell a slave who had been abused to a new owner. Burke did not acknowledge the Spanish influence on his proposals for either self-purchase or forced sale.

⁷⁷ Ramsay, *Essay*, 130–31.

hardy labourers, who had been brought up in habits of industry, and accustomed to the heat of the climate”—would do “more work in less time ... than any equal number of slaves.” Alongside the “humanity” of the practice, this anticipated productivity gain made it “greatly to be wished that some expedient of this kind might be *tried*, at least as an experiment, in some of the English islands.”⁷⁸

Though confident in the myriad benefits that self-purchase would bring masters and slaves alike, Porteus did not believe all enslaved persons should be eligible for it. Representing perhaps the most restrictive position among those Britons who endorsed the Spanish custom, Porteus wrote that earning freedom by degrees should be available to only the most deserving—“a reward of superior merit and industry, and of an uncommon progress in the knowledge and the practice of Christianity.” By restricting eligibility “to a very few,” self-purchase “would operate as a most powerful and irresistible instrument of conversion.”⁷⁹ Other advocates of emancipation called for a more expansive application of the practice. The theologian Philip Howard, for example, encouraged the government to purchase one day of freedom per week for every slave over the age of twenty-one, to begin them on the path to manumission. Another writer suggested that former slaves be allowed to buy the freedom of their kin by similar degrees, envisioning this process as leading to the eventual eradication of slavery throughout Britain’s empire.⁸⁰ Further proponents of *coartación* recommended that slaves begin their period of servitude with two working days to themselves, or be permitted to buy out their time in installments of less than one-fifth their purchase price.⁸¹ However, while various writers emphasized and modified different components of what they understood to be “the Spanish Regulations,” almost all followed Granville Sharp’s lead in highlighting the economic benefits of such a system to slave owners.⁸² Most commonly, they argued that the prospect of self-purchase would make slaves more dutiful workers and condition them for wage labor post-emancipation, as well as stressed that when their bondage was over, “the proprietor would be reimbursed the initial

⁷⁸ Porteus, “An Essay,” 201; Porteus, *A Sermon*, 23. The Baptist minister Robert Robinson claimed “some gentlemen have made trials similar to this in the main in the British plantations with great success,” but provided no corroborating evidence. Robert Robinson, *Slavery Inconsistent with the Spirit of Christianity: A Sermon Preached at Cambridge, on Sunday, Feb. 10, 1788* (London, 1788), 37.

⁷⁹ Porteus, *A Sermon*, 22; Porteus, “An Essay,” 201.

⁸⁰ Philip Howard, *The Scriptural History of the Earth and of Mankind, Compared with the Cosmogonies, Chronologies, and Original Traditions of Ancient Nations* (London, 1797), 85–87; *Essays Commercial and Political, on the Real and Relative Interests of Imperial and Dependent States, Particularly Those of Great Britain and Her Dependencies* (Newcastle, 1777), 135–40.

⁸¹ Stanford to Porteus, 22 July 1788, Fulham Papers, vol. 18, fol. 65a, LPL; Tucker, *Reflections*, 11; *Essays Commercial and Political*, 138; William Roscoe, *A General View of the African Slave-Trade, Demonstrating Its Injustice and Impolicy: With Hints towards a Bill for Its Abolition* (London, 1788), 36.

⁸² To my knowledge, no British slave owner in the eighteenth century publically endorsed *coartación*. In an unpublished manuscript from 1788, however, Jamaican slaveholder John Lindsay discusses the potential social and economic benefits of select manumission. His ideas contain many similarities with the Spanish model of self-purchase, though he does not acknowledge any foreign inspiration. Similar to metropolitan abolitionists, Lindsay made the case that liberating those with over ten years of “good service” and unblemished characters could have a “good effect” on the morals and productivity of the entire slave population. He also promoted having “umpires” (“judges of freedom”) oversee the process. Lindsay, “A Few Conjectural Considerations,” fols. 162–84.

cost of them.” In myriad ways, then, *coartación* was “so perfectly agreeable to the principles of political economy.”⁸³

Beyond *coartación*'s utility in plans to reform and end colonial slaveholding, the practice also served a useful rhetorical function for abolitionists. Similar to lauding the *code noir*, discussing *coartación* provided an opportunity to draw comparisons with supposedly unenlightened foreign nations in ways that highlighted the inhumanity of British colonial laws. Since Spain, even more than France, had traditionally been associated with violence and despotism in the New World, commentary about the superior situation of Spanish slaves arguably called attention to British callousness and the scandalous neglect of the metropolitan government even more emphatically.⁸⁴ Asked an anonymous essayist, “Shall the English, ever famed for courage and humanity, be out done in the latter by a nation in many instances notorious for cruelty? Let not they who boast of their own freedom ... be greater tyrants and oppressors of their fellow-creatures than the subjects of a despotic monarch are.”⁸⁵ The celebrated organist James Nares wrote to Granville Sharp about the paradox of the nation that pioneered the Catholic Inquisition managing its slaves with “more good Policy and Humanity” than Protestant Britain. Sharp shared his friend's insight, claiming that self-purchase demonstrated that “even the cruel Spaniards are more civilized and show more mercy to their slaves at present than the English.”⁸⁶ The political writer Thomas Cooper likewise criticized the hypocrisy of his countrymen who “exclaim against Spanish cruelty” despite Spain's comparatively liberal approach to manumission. “Englishmen ought deeply to blush,” he wrote, that they had not “preceded the French and Spanish” in providing avenues to freedom for enslaved people under their jurisdiction.⁸⁷

Cooper's inclusion of French manumission policies alongside *coartación* in the above admonition is revealing. Though the *code noir* contained no mention of wages, slave property, or self-purchase, its final four articles allowed masters to free slaves without penalty, as well as guaranteed manumitted slaves the same rights as freeborn persons. The code also placed those recently manumitted under the tutelage of their former masters, in order to ease the transition from slavery to freedom for both parties. Some British commentators erroneously described these measures as akin to *coartación*. These included Joseph Priestley, who claimed that the French placed freedom “within the reach of the more industrious of the slaves, as it is with the Spanish.”⁸⁸ A greater number, however, shared

⁸³ White, *Hints for a Specific Plan*, 18; Joseph Townsend, *A Journey Through Spain in the Years 1786 and 1787*, 3 vols. (London, 1791), 2:381–82.

⁸⁴ The Black Legend of Spanish rapacity in the Americas reached its peak in the seventeenth century, though vestiges lingered for centuries thereafter. See Anthony Pagden, *Lords of All the World: Ideologies of Empire in Spain, Britain, and France, c.1500–c.1800* (New Haven, 1998), 87; Maria DeGuzman, *Spain's Long Shadow: The Black Legend, Off-Whiteness, and Anglo-American Empire* (Minneapolis, 2005); and William S. Maltby, *The Black Legend in England: The Development of Anti-Spanish Sentiment, 1558–1660* (Durham, 1971). For a different view, see Gabriel Paquette, “The Image of Imperial Spain in British Political Thought, 1750–1800,” *Bulletin of Spanish Studies* 81, no. 2 (2004): 187–214.

⁸⁵ *Essays Commercial and Political*, 136.

⁸⁶ Nares to Sharp, London, [date illegible], box D3549/1/N3, GRO; Sharp, *The Just Limitation*, 54.

⁸⁷ Thomas Cooper, *Letters on the Slave Trade* (Manchester, 1787), 24, 27.

⁸⁸ Joseph Priestley, *A Sermon on the subject of the Slave Trade; Delivered to a Society of Protestant Dissenters, at the New Meeting, in Birmingham; and Published at Their Request* (Birmingham, 1788), 8–9, 30.

Cooper's view that the *code noir*'s concluding clauses reflected "the same spirit" as the Spanish Regulations: namely, they suggested that slavery could be temporary rather than permanent, and that Europeans could have a positive impact on Africans and their descendants by exposing them to "evolved society."⁸⁹ Moreover, as in the case of self-purchase, French policy on manumission stood in stark contrast to British colonial codes, many of which, in order to limit the size of the free black population, levied heavy fines on slave owners for liberating their slaves.⁹⁰ For observers like Cooper, the details of foreign approaches to manumission were often less significant than the basic fact that other governments appeared to condone, facilitate, and even encourage the freeing of enslaved persons.

Of course, viewing foreign slave policies as engendering emancipation rested on highly selective readings of them. Further, like reformers' commendation of French and Spanish slave policy more generally, this conclusion was rooted in abstract interpretations of regulations themselves, not their application. As Alejandro de la Fuente as shown, contextual factors such as the availability of labor in a given region often determined whether or not an enslaved person had the opportunity to negotiate *cortado* status. Evidence also suggests that only a fraction of *cortados* ever achieved manumission, owing to the length of the process and limited access to legal advocates such as *síndico procuradores*.⁹¹ Limited contact with protector figures was also a reality for enslaved persons in French islands where, even when *procureurs* were called in to enforce the *code noir*, it was almost always to prosecute and punish slaves. In his study of Saint-Domingue legal records, Malick Ghachem uncovered only one instance over the entire colonial period of an enslaved person successfully using the justice system to press charges against an owner. On only a handful of occasions were owners charged by government officials with violating sections of the code proscribing the murder, torture, brutalization, or improper maintenance of their human chattel.⁹² Ironically, the French state's lack of control over slaveholding was most pronounced in the late 1780s, right when favorable descriptions of French slave management were peaking in Britain.⁹³ Further underscoring the discrepancy between British perceptions and colonial realities is the fact that, in each year from 1785 to 1790, French planters were the foremost purchasers of African slaves in the New World.⁹⁴ In Spanish America as well, slave-based merchant capitalism had reached a "fever pitch" by 1790, thanks largely to an expanding agricultural frontier and increased access to commercial credit.⁹⁵ Most Britons who lauded their rivals' slave management policies as humane and tending

⁸⁹ Cooper, *Letters*, 24.

⁹⁰ For slave manumission as a public concern in British colonies, see Watson, *Slave Law*, 63–82.

⁹¹ De la Fuente, "Slaves and Legal Rights," 662, 666–69.

⁹² Ghachem, "Prosecuting Torture," 994–95, 1017.

⁹³ Malick W. Ghachem, *The Old Regime and the Haitian Revolution* (New York, 2012), 145–66; David Patrick Geggus, "Saint-Domingue on the Eve of the Revolution," in *The World of the Haitian Revolution*, ed. David Patrick Geggus and Norman Fiering (Bloomington, 2009): 3–20, esp. 12–14; Jeremy Popkin, *You Are All Free: The Haitian Revolution and the Abolition of Slavery* (New York, 2010), 28–33.

⁹⁴ Voyages: The Trans-Atlantic Slave Trade Database, <http://www.slavevoyages.org/estimates/BP4CEWLF>, accessed 25 January 2017.

⁹⁵ Jeremy Adelman, *Sovereignty and Revolution in the Iberian Atlantic* (Princeton, 2006), 83.

towards freedom were either willfully ignorant of these realities or elected not to grapple with them in the texts they produced.

CONCLUSION

By 1788, foreign slave regulations had attracted the attention of the British government. In February of that year, in response to mounting public opposition to the slave trade, the Privy Council launched a comprehensive inquiry into the Atlantic slave system. One of its stated objectives was to collect information “relating to the Advantage which the French West India Islands are supposed at present to enjoy over the British Islands, and the Reasons and Circumstances on which these superior Advantages appear to be founded.” To this end, heads of examination were sent to colonial assemblies inquiring “whether many of the regulations in the French Code Noir might not be adopted in our Colonies as well for the Benefit of these people [enslaved Africans] as for the advantage of the Planters?” The assemblies were also asked about the feasibility of implementing “the Spanish Regulations” in British colonies.⁹⁶ In the House of Commons investigation that same year, it too approached its work from a comparative perspective, soliciting the merits and shortcomings of different slave systems from witnesses with firsthand knowledge of them. The Commons committee also studied dozens of slave codes from British, French, Spanish, Dutch, Portuguese, and Danish colonies, publishing these ordinances as a single volume as part of its findings.⁹⁷

This interest in applying foreign slave regulations to British colonies, however, would not survive the tumult of the 1790s. To both policy makers and advocates of reform, the slave uprising in Saint-Domingue that began in August 1791 was a stunning rebuke of ideas about the efficacy and wisdom of French slave management practices.⁹⁸ Since the insurrection was largely spearheaded by enslaved Africans who had arrived in the colony over the previous decade (and who in 1791 constituted a majority of the island’s population), it also helped solidify the shift in antislavery priorities away from amelioration and towards the abolition of the slave trade.⁹⁹ Already by the late 1780s, momentum was swinging in this direction: indeed, a majority of authors who promoted reform along French lines between 1787 and 1791 also called for a simultaneous abrogation of the “African commerce.” Once again, it is James Ramsay who perhaps best exemplifies this evolution in antislavery thought. While his 1784 *Essay* had stated “what a glory would it be to Britain ... to enlarge the benevolent plan of France and Spain, for improving the condition of their slaves,” a tract published only months prior to his death in 1789 made no positive mention of rivals’ practices. Instead, it outlined the positive results that would follow the abolition of

⁹⁶ Lord Hawkesbury, “Heads of Examination,” 12 February 1788, National Archives at Kew, Board of Trade Papers 3/2, fol. 15.

⁹⁷ Lambert, *House of Commons Sessional Papers of the Eighteenth Century*, vol. 67. The Commons also reprinted a full volume of slave codes compiled by the House of Lords investigation. *Ibid.*, vol. 70.

⁹⁸ David Geggus, “British Opinion and the Emergence of Haiti, 1791–1805,” in *Slavery and British Society, 1776–1846*, ed. James Walvin (Baton Rouge, 1982), 123–49.

⁹⁹ John K. Thornton, “African Soldiers in the Haitian Revolution,” *Journal of Caribbean History* 25, no. 1 (1993): 58–80, at 59. See also John K. Thornton, “‘I Am the Subject of the King of Congo’: African Political Ideology and the Haitian Revolution,” *Journal of World History* 4, no. 2 (Fall 1993): 181–214.

the slave trade, and asserted that France and Spain would “eagerly run to share with us all these advantages” if Britain took the lead.¹⁰⁰ Ramsay’s pivot towards abolition reveals how the first great wave of public opposition to the Atlantic slave system had fundamentally changed the terms of the discussion.

French slave policies, like French colonial management more broadly, remained discredited well into the nineteenth century. As revolution raged in Saint-Domingue from 1791 to 1804, antislavery campaigners struggled to keep slave trade abolition on Britain’s political agenda. With this as their foremost priority, they almost entirely abandoned earlier calls to police and amend slavery itself. Indeed, the most significant initiative for slavery reform during these years came from two absentee planters, who in 1797 asked parliament to support colonial legislatures in taking steps to morally uplift enslaved persons and safeguard against their abuse. In this context, amelioration was part of an attempt to divert interest away from the immediate termination of the slave trade. It was therefore vehemently opposed by abolitionists in parliament.¹⁰¹ Even once abolition re-emerged as a feasible measure, and antislavery campaigners again began entertaining ideas of slavery reform, they had little positive to say about French regulations. Most now also conceded that the *code noir* was easily circumvented on the ground in the West Indies. In a lengthy tract published on the eve of slave trade abolition in 1807, Wilberforce noted that despite “the more despotic system of government which was established in the French islands before the revolution, the Code Noir ... [had] fallen into practical disuse.” By the time of the revolution, he wrote, it had “become a mere dead letter.”¹⁰² Seven years later, the veteran abolitionist William Dickson echoed this view. Though “applauded by the theorists of Europe,” the *code noir* was “laughed at” by French colonists, and had “slept in dust and cobwebs for above a century.” According to Dickson, “it made its exit in the butcheries and burnings of St. Domingo; not a single article of it having ever been put in force in that colony!”¹⁰³

Spanish slave practices fared better in British eyes, and in the long run would exert a greater influence in shaping British policy. In 1802, the Colonial Office decided to retain Spanish regulations on the newly acquired island of Trinidad, believing them to be both comparatively humane and economical. Over the following two decades, Trinidad served as the staging ground for further laws designed to extend basic protections and a measure of “civilization” to those in bondage. Among other things, ordinances restricted arbitrary punishments, strengthened the protective office on the island, incentivized slave marriage, proscribed the separation of family members, reduced barriers to manumission, and brought the process of self-purchase under greater public oversight. Once ameliorating slavery became official government policy in 1824, these and other directives were extended piecemeal to other Crown Colonies in the West Indies. The government also applied “different kinds

¹⁰⁰ Ramsay, *Essay*, 294; James Ramsay, *An Address on the Proposed Bill for the Abolition of the Slave Trade* (London, 1789), 25–29, at 29.

¹⁰¹ “Debate on Mr. Ellis’s Motion for the Amelioration of the Condition of Negroes,” 6 April 1797, *Parliamentary History of England*, 33:251–94. The slave owners were William Young and Charles Rose Ellis.

¹⁰² William Wilberforce, *A Letter on the Abolition of the Slave Trade; Addressed to the Freeholders and Other Inhabitants of Yorkshire* (London, 1807), 232–33. See also note 38 above.

¹⁰³ William Dickson, *Mitigation of Slavery, in Two Parts* (London, 1814), xii.

and degrees of interference ... toward the Colonial Legislatures” of older self-governing colonies in order to coerce them into adopting similar measures.¹⁰⁴ Though slave owners sometimes implemented ameliorative policies of their own accord, believing them to be conducive to a self-reproducing workforce, the initiative behind amelioration from 1807 onward came primarily from the imperial state. During this period, Spanish legislation continued to hold significant appeal for British legislators.¹⁰⁵ For no one was this more true than the antislavery movement’s sharpest legal mind and government advisor James Stephen, who in his 1823 treatise on New World slavery extensively lauded Spanish policies such as *coartación*.¹⁰⁶ In private, however, Stephen confessed his ignorance of the specifics of Spanish slave law.¹⁰⁷

As this article has shown, Stephen was far from the first advocate of slavery reform to be enticed by a vague understanding and selective reading of foreign slave regulations. Particularly in the decade following American independence, metropolitan imperial commentators devoted considerable attention to analyzing the laws and practices of other slaving empires. Of course, that slave owners also sought to learn from the legal customs of their competitors points to a truth often overlooked by reformers with antislavery leanings: namely, foreign slave regulations were intended primarily to strengthen and perpetuate slaveholding itself. Indeed, by mitigating the harshest features of chattel slavery, both slave legislation and evolved traditions made the institution easier to justify in an age where human bondage was increasingly seen as morally dubious. To most individuals examined in this article, though, slaveholding that was regulated and policed by the imperial state was significantly preferable to the status quo. In their view, closer metropolitan oversight offered protection to the most vulnerable of British subjects, while simultaneously providing means through which to curb the excesses and autonomy of colonial elites. Since what looked to be the comparative benignity of slavery in French and Spanish colonies proved the value of this approach, advocates of reform in Britain identified foreign policies as offering templates for how to ameliorate slavery in their own nation’s overseas possessions. British efforts to regulate and reform colonial slavery are therefore part of wider story about the circulation of ideas, laws, and strategies of rule among rival empires in the Atlantic World.

¹⁰⁴ George Canning, *The Speech of the Rt. Hon. George Canning ... on the 16th of March, 1824* (London, 1824), 14.

¹⁰⁵ Claudius Fergus, *Revolutionary Emancipation: Slavery and Abolitionism in the British West Indies* (Baton Rouge, 2013), 123–60.

¹⁰⁶ James Stephen, *The Slavery of the British West India Colonies Delineated, as It Exists in Both Law and Practice, and Compared with the Slavery of Other Colonies, Ancient and Modern*, 2 vols. (London, 1824). For example, see 1:60, 192–95, and 267–74.

¹⁰⁷ Fergus, *Revolutionary Emancipation*, 131.