

EMANCIPATION AND IMPERIALISM IN A BORDERLAND: *The Challenge to Settler Sovereignty over Slavery in Belize in the 1820s*

ABSTRACT: This article points to the 1820s as a crucial period that saw a great reversal in the location of sovereignty in Belize. The article employs two inflection points—first, an 1822 case of ‘Indian’ slaves from Mosquito Shore, and second, slave desertion in 1825—to point to unprecedented challenges to settler sovereignty over slavery in Belize that arose during the 1820s. While British amelioration allowed the metropolitan government to bring frontier and borderland regions within its legal purview, thus challenging settler autonomy, the concurrent event of Central American emancipation provided enslaved people in Belize additional opportunity to desert their masters at a moment when restitution of runaway slaves became increasingly difficult. Yet, this essay is about more than just the fracturing of settler sovereignty over slavery. Rather it also illuminates how settlers responded to these challenges by using force, diplomacy, and the print media. The settlers’ most potent response was in portraying Belizean slavery as ‘benign,’ creating a surprisingly robust narrative that would endure for generations. The essay illuminates how emancipation and imperialism remained inextricably linked in borderland areas such as Belize, which straddled the boundaries between Spanish America and the British Caribbean.

KEYWORDS: Belize, Slavery, Emancipation, Imperialism, Mosquito Shore

In the early nineteenth century, Belize was bound only tenuously to the British Empire.¹ The Parliamentary Act of 1817 defined it as “a settlement, for certain purposes, in the possession and under the protection of His Majesty, but not within the territory and dominion of His Majesty.”² The settlement comprised around 150 British settlers, 900 “free blacks,” and 3000 slaves.³ One of the consequences of this ambiguous definition was the confusion over applicability of British laws in the settlement. This extended to laws relating to slavery and relations between masters and

I am grateful to George Reid Andrews, Christa Dierksheide, the participants of the 2021 Belize Symposium at Penn State, and the anonymous reviewers of *The Americas* for their helpful comments on previous drafts of this article. I would also like to acknowledge Mary Alpuche at the Belize Archives and Record Services (BARS) and Rolando Cocom at the National Institute of Culture and History of Belize (NICH) for all their help with locating sources.

1. I use the name Belize to refer to the entire region within present-day boundaries. It was known as the Settlement in the Bay of Honduras until the mid-nineteenth century, and from then until 1973 as British Honduras. In the nineteenth century, Belize most often referred to the town of that name.

2. Barbara Bulmer-Thomas and Victor Bulmer-Thomas, *The Economic History of Belize from the 17th Century to Post-Independence* (Belize: Cubola Books, 2012), 68.

3. Alan Lester and Fae Dussart, *Colonization and the Origins of Humanitarian Governance: Protecting Aborigines across the Nineteenth-Century British Empire* (Cambridge: Cambridge University Press, 2014), 46.

slaves.⁴ Indeed, before the 1820s, the laws of the British West Indies regulating slavery had little impact on the processes followed in the settlement.⁵ Belize's position as a contested borderland—an enclave within Spanish colonial territory—also meant that until the 1820s there was little British imperial intervention in the management of slavery in the settlement. Instead, the highly localized and informal legal regime of Belize allowed for the rise of the settlers' authority and power. As a result, the settler elite who controlled much of the land, labor, and instruments of governance in the settlement exercised almost unbridled sovereignty over slavery.⁶

The 1820s were in many ways a turning point in the relations between the British imperial government and Belize. The end of the wars of independence in Spanish America brought an end to Anglo-Spanish rivalry over Belize, and by the 1820s Belize appeared poised to become economically lucrative as a British colonial possession, boasting “by far the highest merchandise exports per head of all Caribbean countries.”⁷ Crucially, the efforts of the metropolitan government to bring within its own purview and control the practice of slavery in its colonial possessions in the Caribbean, as part of a broader effort to ameliorate the condition of slaves in the colonies, undermined the power of the settler elite.⁸ The latter's main adversary in the first decades of the nineteenth century was the figure of the Superintendent, who was often the eyes and ears of the imperial government on the ground. Indeed, the struggle between Superintendent George Arthur (1814–22) and the settler elite in the 1820s is at the core of this essay, which explores how the amelioration phase of emancipation presented unprecedented challenges to settler sovereignty over slavery in the settlement.

The essay employs two inflection points, namely proceedings around the 1822 case of slaves from Mosquito Shore who claimed Indian descent and the subsequent desertion of African slaves from the settlement in 1825, as they sought freedom across contested borders. This conjunction of events exemplifies the opportunities presented by the amelioration period for imperial officials, enslaved people in the settlement, and neighboring Central American

4. Despite the pejorative connotations and lack of agency symbolized by the word “slave,” I have chosen to retain that term since that is how enslaved people were viewed by the imperial officials and settlers, whose mutual struggle is the subject of this article.

5. O. Nigel Bolland, *Colonialism and Resistance in Belize: Essays in Historical Sociology* (Belize: Cubola, 2009 [1998]), 64.

6. Despite the biases and problems associated with the term “settler elite,” I am using it here. For better or worse, it is a recognizable term to describe the landowning and slaveholding settlers in Belize.

7. Victor Bulmer-Thomas, *Economic History of the Caribbean since the Napoleonic Wars* (Cambridge: Cambridge University Press, 2013), 290.

8. It is important to note that while not all white settlers were slaveholders, the settler elite was almost exclusively composed of enslavers.

governments to challenge the sovereignty of the Belizean settler elite. Particularly, the concurrence of British amelioration and Central American emancipation militated against settler efforts to obtain restitution for runaway slaves. However, this essay is not about just the fracturing of settler sovereignty; rather, it also highlights how this elite attempted to recoup its losses and reassert its sovereignty through diplomatic efforts and by creating a narrative of Belizean slavery as ‘benign,’ a narrative that would persist for generations.

Belize became a British colony in 1862. Part of its transition from a settlement to a colony lay in the gradual displacement of power from the settler elite to the representatives of British imperial government. Indeed, as early as the 1830s the settler oligarchy had lost its control over executive authority in the settlement, leading to a concomitant rise in the power of the Superintendent. Since the struggle over sovereignty in the 1820s presaged and laid the groundwork for this later transformation, this article allows us to appreciate that in borderland regions such as Belize, which straddled the boundaries between Spanish America and the British Caribbean, emancipation and imperialism were inextricably linked. It also underlines how the overlapping contexts of British and Central American emancipations allowed for an unprecedented reversal of settler sovereignty over slavery in Belize.

Several historians of Belize have questioned the deeply held assumptions and myths surrounding early Belizean history. In his seminal works, Nigel Bolland (1977, 1988) demonstrated the fiction of benign slavery in Belize and showed how the lack of legal definitions contributed to the ill-treatment of slaves. Bolland highlighted the ways in which slaves resisted their masters, including revolts, marronage, and flight.⁹ Building on Bolland’s work on the agency of the enslaved, Anne Macpherson highlighted the gendered experience of slavery in Belize, showing how urban enslaved women experienced and resisted slavery in ways that were completely different from those of the majority of male slaves who labored in timber extraction.¹⁰ In addition, scholars such as Victor and Barbara Bulmer-Thomas and Matthew Restall have shown that the origin myths we associate with early Belize were deliberately constructed by the settler elite in the eighteenth and nineteenth centuries to legitimize their position in society.¹¹ My work builds on these powerful insights and extends them through

9. O. Nigel Bolland, *The Formation of a Colonial Society: Belize from Conquest to Crown Colony* (Baltimore: Johns Hopkins University Press, 1977); Bolland, *Colonialism and Resistance* (1988).

10. Anne Macpherson, “Viragoes, Victims, and Volunteers: Female Creole Political Cultures in 19th-Century Belize,” in *Belize: Selected Proceedings of the Second Interdisciplinary Conference*, Michael D. Phillips, ed. (Lanham, MD: University Press of America, 1996).

11. Barbara Bulmer-Thomas and Victor Bulmer-Thomas, “The Origins of the Belize Settlement,” *Tempus Revista en Historia General* 4 (September-October 2016): 137–160; Matthew Restall, “Creating ‘Belize’: The Mapping and Naming History of a Liminal Locale,” *Terrae Incognitae* 51:1 (February 2019): 1–31.

deep contextualization, by focusing on the critical amelioration phase of the 1820s, which witnessed unprecedented challenges to settler sovereignty over slavery and constituted a significant origin-point of mythmaking around ‘benign’ slavery in Belize.

The contest between the local interests of the slaveholders and the metropolitan stance over slavery expressed itself in an unprecedented manner during the amelioration period. Reforming or ameliorating the condition of slaves characterized metropolitan policy and informed colonial practice in the British Caribbean in the 1820s. However, amelioration had much deeper roots in the British abolitionist struggle. Describing the foundations of anti-slavery movements in Britain in the eighteenth century, Christopher Leslie Brown writes “that the first impulses toward reform were ameliorationist rather than abolitionist or emancipationist . . . activists often aimed to make slavery more humane or more Christian, not to liberate the enslaved.”¹² Leading abolitionists, including William Wilberforce, in the period between 1807, when the slave trade was abolished, and 1823 advocated a policy of gradual emancipation rather than outright freedom.¹³

Christa Dierksheide and Caroline Spence have highlighted that both pro-slavery and anti-slavery supporters converged on amelioration, but with different objectives.¹⁴ While pro-slavery advocates, mainly planters and their representatives, wanted to improve the condition of slaves as a way of responding to the critics of slavery and forestalling full emancipation, anti-slavery activists advocated for gradually emancipating slaves with ameliorative policies as a precursor to liberty. This article adds to this burgeoning literature by showing the ways in which the amelioration period influenced the struggle between metropolitan policies and colonial interests concerning mastery over slaves. Indeed, the case of Belize points to how amelioration allowed the British imperial government to bring frontier regions within its legal purview, in the process challenging the hegemony of the settler elite.

While amelioration characterized British emancipation in the Caribbean, the concurrence of Central American emancipation also impacted the struggle over sovereignty in Belize. Several scholars have separately examined British and

12. Christopher Leslie Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill: University of North Carolina Press, Omohundro Institute of Early American History and Culture, 2006), 28.

13. Kenneth Morgan, *Slavery and the British Empire: From Africa to America* (Oxford: Oxford University Press, 2008), 173.

14. Christa Dierksheide, *Amelioration and Empire: Progress and Slavery in the Plantation Americas* (Charlottesville and London: University of Virginia Press, 2014); Caroline Quarrier Spence, “Ameliorating Empire: Slavery and Protection in the British Colonies, 1783–1865” (PhD diss.: Harvard University, 2014).

Central American emancipation.¹⁵ Christopher Schmidt-Nowara has employed the Atlantic dimension to look at the concurrence of various national/imperial projects of emancipation.¹⁶ Scholars such as Alice Baumgartner have demonstrated the unevenness of emancipation in the Atlantic World.¹⁷ Recent research on Spanish American abolition is actively reevaluating the relationship between British and Spanish American emancipation projects.¹⁸ However, there has been little work on what the concurrence of these projects meant for slavery in frontier or borderland areas. Scholars have examined slave flight and desertion from British settlements to neighboring Spanish territories in Mexico and Central America, but their work has focused mainly on the eighteenth century.¹⁹ Scholarly works in both Caribbean and Latin American Studies have in recent years moved away from traditional top-down narratives of histories of emancipation.²⁰ Examining the question of sovereignty in Belize through the vantage point of slave petitions and desertions in the context of concurrent projects of emancipation adds to this conversation.

15. Catherine Hall, Nicholas Draper, and Keith McClelland, eds., *Emancipation and Remaking of the British Imperial World* (Manchester: Manchester University Press, 2014); Seymour Drescher, *The Mighty Experiment: Free Labor versus Slavery in British Emancipation* (Oxford: Oxford University Press, 2002). For studies focused on amelioration, see Robert E. Luster, *The Amelioration of the Slaves in the British Empire, 1790–1833* (New York: Peter Lang, 1995); and J. R. Ward, *British West Indian Slavery, 1750–1834: The Process of Amelioration* (Oxford: Clarendon Press, 1988).

16. Christopher Schmidt-Nowara, *Slavery, Freedom, and Abolition in Latin America and the Atlantic World* (Albuquerque: University of New Mexico Press, 2011). David Brion Davis also looks at concurrence but in terms of the Anglophone world. David Brion Davis, *The Problem of Slavery in the Age of Revolution, 1770–1823* (New York: Oxford University Press, 1999).

17. Alice Baumgartner, *South to Freedom: Runaway Slaves to Mexico and the Road to the Civil War* (New York: Basic Books, 2020).

18. The October–December 2019 special issue of *Historia Mexicana* (69:2) includes a useful overview by Celso Castilho, Marcela Echeverri, and Adriana Santoveña, “Los ecos atlánticos de las aboliciones hispanoamericanas.”

19. For slave flight from Belize, see Matthew Restall, “Crossing to Safety? Frontier Flight in Eighteenth-Century Belize and Yucatan,” *Hispanic American Historical Review* 94:3 (August 2014), 381–419; Mark Lentz, “Black Belizeans and Fugitive Mayas: Interracial Encounters on the Edge of Empire, 1750–1803,” *The Americas* 70:4 (April 2014), 647–675; and Doug Tompson, “Between Slavery and Freedom on the Atlantic Coast of Honduras,” *Slavery & Abolition* 33:3 (2012), 403–416. For other studies of slave flight out of British settlements, see Hilary Beckles, “From Land to Sea: Runaway Barbados Slaves and Servants, 1630–1700,” *Slavery & Abolition* 6:3 (1985), 79–94; and Gad Heuman, “Runaway Slaves in Nineteenth Century Barbados,” *Slavery & Abolition* 6:3 (1985), 95–111. Of course, slave flight from British settlements to neighboring Hispanic regions must be placed in a longer continuum of migration in the Caribbean. For post-emancipation migration patterns, see Sharika Crawford, “A Transnational World Fractured but Not Forgotten: British West Indian Migration to the Colombian Islands of San Andrés and Providence,” *New West Indian Guide/Nieuwe West-Indische Gids* 85:1–2 (January 2011), 31–52. For a discussion of the historiography around migration related to slavery in Latin America, see Lara Putnam, “Transnational Frames of Afro-Latin Experience: Evolving Spaces and Means of Connection, 1600–1200,” in *Afro-Latin American Studies: An Introduction*, Alejandro de la Fuente and George Reid Andrews, eds. (New York: Cambridge University Press, 2018).

20. See for instance Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787–1804* (Chapel Hill: University of North Carolina Press, 2004); Richard Hart, *Slaves Who Abolished Slavery: Blacks in Rebellion* (Kingston, Jamaica: University of the West Indies Press, 2002); Michael Craton, *Testing the Chains: Resistance to Slavery in the British West Indies* (Ithaca, N.Y.: Cornell University Press, 1982); Aline Helg, *Slave No More: Self-Liberation before Abolitionism in the Americas* (Chapel Hill: University of North Carolina Press, 2019); and Peter Blanchard, *Under the Flags of Freedom: Slave Soldiers and the Wars of Independence in Spanish South America* (Pittsburgh: University of Pittsburgh Press, 2008).

Much can also be gained from recognizing the shared history of slavery in the Anglo-Atlantic world. Scholars of US history, for instance, have engaged with the question of slavery in borderlands, a study that can be crucial to understanding the case of Belize.²¹ An important thread running through this literature has been the role of the state in the relations between slaveholders and slaves. John Craig Hammond has shown continuities between dynamics of power in the colonial and post-independence United States, where state power remained a key determinant for planters to maintain sovereignty over slavery and the borderlands.²² In many ways, laws regarding slaves and slavery became a crucial way in which state power was expressed. As Christopher Tomlins writes, “As a modality of rule, the expression of sovereignty, law was integral to the creation and implementation of governance.”²³ In this context, legal procedures such as public trials and petitions assumed a political aspect. Steven Lubert has shown how slave desertion was not seen as the simple act of running away, but rather as the fugitive slave trials of the 1850s United States exemplified, was regarded as a political act against the authority of the state.²⁴

It is important to put this literature in conversation with the broader borderlands scholarship that has also examined questions of sovereignty and empire. For Jeremy Adelman and Stephen Aron, empire—especially inter-imperial contests—was crucial to what defined a borderland.²⁵ Lauren Benton, on the other hand, forwards the idea of corridors or enclaves to visualize the uneven imperial control and influence across colonial territories.²⁶ This unevenness was reflected in the variegated ways in which imperial legal administration operated at ground level, leaving a deep chasm between metropolitan intent and colonial reality. Taken together, these insights allow us to visualize borderlands as contested spaces where slaveholders vied to maintain their sovereignty over slavery even as the “state” occupied an ambiguous role—at times abetting the masters and at others undermining them—in the context of uneven imperial legal jurisdiction.

21. Adam Rothman highlights the collaborative efforts to civilize the cotton frontier in the Deep South of the United States, where both white planters and their black slaves contributed equally, though not as equals. Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge: Harvard University Press, 2005). Richard Newman demonstrates how fugitive slaves identified “free spaces” and contributed to the emergence of anti-slavery borderlands, using the case of Pennsylvania. Richard S. Newman, “‘Lucky to be Born in Pennsylvania’: Free Soil, Fugitive Slaves and the Making of Pennsylvania’s Anti-Slavery Borderland,” *Slavery & Abolition* 32:3 (September 2011), 413–430.

22. John Craig Hammond, “Slavery, Sovereignty, and Empires: North American Borderlands and the American Civil War, 1660–1860,” *Journal of the Civil War Era* 4:2 (June 2014), 264–298.

23. Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580–1865* (New York: Cambridge University Press, 2010), 6.

24. Steven Lubert, *Fugitive Justice: Runaways, Rescuers, and Slavery on Trial* (Cambridge: Belknap Press of Harvard University Press, 2010).

25. Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the Peoples in Between in North American History,” *American Historical Review* 104:3 (June 1999), 814–841.

26. Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (Cambridge: Cambridge University Press, 2010).

Moreover, this struggle over sovereignty must be seen in the context of the broader struggle between the metropole and the colony. Jack Greene has highlighted the broader contest between settlers and colonial government over the power of self-determination of colonies, from the seventeenth century forward.²⁷ Lauren Benton and Lisa Ford urge us to view local legal struggles in British settlements within the broader politics of legal pluralism in the British Empire. According to Benton and Ford, in the context of struggles over emancipation, magistracies became condensed sites of a power struggle between centers and peripheries of empire. Magistrates, who were often the only regulators of master-slave relationships, came under increasing scrutiny, both local and imperial.²⁸ This article adds to this literature by showing how magistrates responded to this scrutiny. Thus, in Belize, magistrates (who were also the principal slaveholders) created a narrative of a benign slavery to counter the policies of the imperial government, which increasingly challenged their mastery over slaves in the settlement.

SLAVERY, SETTLER SOVEREIGNTY, AND THE SUPERINTENDENCY OF GEORGE ARTHUR

Belize featured as an important locus of Anglo-Spanish rivalry in the eighteenth century. By the Treaty of Paris of 1763, the British gained usufructory rights, but not title, to the settlement in the Bay of Honduras. In September 1779, the Spanish captured a critical British point on the bay, St. George's Caye. Subsequently, the Treaty of Versailles of 1783 and the Convention of London of 1786 extended the limits of British logwood and mahogany cutting but prohibited any fortifications or government or agricultural pursuits apart from timber extraction. In return for Spanish concessions in the Bay settlement, the British agreed to evacuate Mosquito Shore, another site of Anglo-Spanish rivalry in Central America.

The British metropolitan government was reluctant to establish any formal government in the settlement for fear of Spanish retaliation. Instead, the British settlers tried to set up their own rudimentary system of governance, using a set of laws and regulations known as Burnaby's Code. In 1798, after British settlers thwarted the Spanish in the Battle of St. George's Caye, the British assumed de facto control over the settlement. However, Belize as a contested

27. Jack P. Greene, ed., *Exclusionary Empire: English Liberty Overseas, 1600–1900* (New York: Cambridge University Press, 2010), 75.

28. Lauren Benton and Lisa Ford, "Magistrates in Empire: Convicts, Slaves, and the Remaking of the Plural Legal Order in the British Empire," in *Legal Pluralism and Empires, 1500–1850*, Lauren Benton and Richard Ross, eds. (New York: New York University Press, 2013), 173–198.

borderland between Old World rivals Britain and Spain still remained tenuously connected to the British Empire. Instead, local authority was assumed by a minority of white settlers, or “Baymen,” who constituted an oligarchy that also controlled the executive and judicial power in the settlement.²⁹

By 1824, slaves constituted more than half of the 4700 inhabitants of Belize.³⁰ Three-fifths of the slaves were African-born and the rest were creoles, with a minority who were descendants of Indians from Mosquito Shore.³¹ Figures from 1823 indicate that men comprised about 59 percent of the slave population, with women constituting 25 percent, and children around 16 percent.³² Unlike slaves in the plantation economies elsewhere in the Caribbean, most Belizean slaves labored in the extraction of timber, first logwood and later mahogany.³³ This set up a unique master-slave dynamic in Belize that arguably provided slaves with a degree of leverage. First, the need for strong and healthy slaves to work in the arduous mahogany camps and the difficulty of importing new slaves into the settlement, especially after the abolition of the slave trade in 1807, meant that masters were invested in the upkeep of slaves.³⁴ Second, mahogany extraction often required skilled laborers, so masters often tried to provide incentives to their skilled slaves, such as extra provisions or more leisure time.³⁵ The fact that it was relatively easy for slaves to desert to neighboring Hispanic territories and that white settlers were often outnumbered by slaves in the isolated mahogany camps may have restrained slaveholders from using excessively harsh punishments. This is not to say that Belizean slaves did not face violence: in fact, physical coercion and torture were sometimes used as tools to control slaves.³⁶ Rather, Belize’s case suggests that the nature of the settlement may have afforded slaves some unique leveraging tools.³⁷

The evacuation of Mosquito Shore constituted an important episode in Belizean history. The great majority of the 2650 evacuees, including 1677 black and indigenous slaves, settled in Belize, altering the settlement’s demography

29. It may be argued that the term ‘Baymen’ was part of the terminology slaveholders used to describe themselves to legitimize their position in Belize, and as such it can be seen as part and parcel of the process of mythmaking.

30. Extract, Captain R. Maclean of H. M. sloop *Bustard* to Vice-Admiral Sir L. W. Halsted, K.C.B., March 2, 1824, Port Royal, Jamaica, House of Commons Parliamentary Papers. ProQuest.

31. Bolland, *Colonialism and Resistance*, 53.

32. Bolland, *Colonialism and Resistance*, 54.

33. Slaves worked in other occupations, too, such as laborer, carpenter, sailor, cattleman, footman, washerwoman, domestic worker, and seamstress. Bolland, *Colonialism and Resistance*, 58.

34. This was likely different for female slaves, who, as Macpherson points out, were mainly occupied as domestic slaves in urban households. Macpherson, “Viragoes, Victims, and Volunteers,” 25.

35. Jennifer L. Anderson, *Mahogany: The Costs of Luxury in Early America* (Cambridge: Harvard University Press, 2012), 170.

36. Anderson, *Mahogany*, 171.

37. For a detailed discussion, see O. Nigel Bolland, *Colonialism and Resistance*, 50–75.

significantly.³⁸ There is evidence of widespread practice of slavery both among the native inhabitants of the Shore and by the British settlers in the area. Accounts of travelers to the Mosquito Shore from the seventeenth and eighteenth centuries point to the existence of slavery in the region.³⁹ According to Helms, *sambo* Miskitos engaged in devastating raids into Spanish settlements to capture Africans and Central American natives.⁴⁰

By the early eighteenth century, Miskitos were the dominant power on the Mosquito Shore and regularly enslaved and sold indigenous captives from other native groups to Jamaican sugar planters, as well as to other Europeans.⁴¹ According to Karl Offen, the incredible racial diversity of the Mosquito Shore resulted from the incorporation of Africans, indigenous people, and Europeans into Miskito society, often through the violent process of slave-raiding.⁴² Scholars agree that prior to British evacuation in the late eighteenth century most of those captured in raids were indigenous.⁴³ According to Offen, the majority of slaves held at the British settlement in Black River were Afro-descendants, while those held on the Nicaraguan coast were Amerindian.⁴⁴ Given that the majority of the evacuees to Belize came from Black River, it is probable that most of the slaves who accompanied them were Afro-descendants and that many fewer Amerindian slaves evacuated to Belize.⁴⁵

38. Frank Griffith Dawson, "The Evacuation of the Mosquito Shore and the English Who Stayed Behind, 1786–1800," *The Americas* 55:1 (July 1998), 68.

39. M. W., "The Mosquito Indian and His Golden River. Being a Familiar Description of the Mosquito Kingdom in America, &c., &c.," *A Collection of Voyages and Travels*, Vol. 6, 3rd ed. (London: Printed for Henry Lintot and John Osborn, at the Golden Ball in Paternoster Row, 1746 [1699]); A. O. Esquemeling, *The History of the Buccaneers of America* (Boston: Sanborn, Carter & Bazin, 1856 [1684]); Nathaniel Uring, *A history of the voyages and travels of Capt. Nathaniel Uring, with new draughts of the Bay of Honduras and the Caribbee Islands, and particularly of St. Lucia, and the harbour of Petite Carenage, into which ships may run in bad weather, and be safe from all winds and storms* (London: John Clarke, 1749 [1726]); Edward Long, *The History of Jamaica or, General Survey of the Antient and Modern State of that Island, with Reflections on its Situation, Settlements, Inhabitants, Climate, Products, Commerce, Laws, and Government* (London: T. Lowndes, 1774).

40. Mary W. Helms, "Miskito Slaving and Culture Contact: Ethnicity and Opportunity in an Expanding Population," *Journal of Anthropological Research* 39: 2 (1983), 181.

41. Wolfgang Gabbert, "God Save the King of the Mosquito Nation!" Indigenous Leaders on the Fringe of the Spanish Empire," *Ethnohistory* 63:1 (2016), 75.

42. Karl Offen, "Mapping Amerindian Captivity in Colonial Mosquitia," *Journal of Latin American Geography* 14:3 (October 2015), 35–65; Daniel Mendiola, "The Rise of the Mosquito Kingdom in Central America's Caribbean Borderlands: Sources, Questions, and Enduring Myths," *History Compass* 16:1 (December 2017), 6.

43. Offen, "Mapping Amerindian Captivity"; Michael Olien, "After the Indian Slave Trade: Cross-Cultural Trade in the Western Caribbean Rimland, 1816–1820," *Journal of Anthropological Research* 44:1 (Spring 1988), 41–66. For changes to local patterns of slavery after evacuation of the Mosquito Shore, see Caroline Williams, "Living Between Empires: Diplomacy and Politics in the Late-Eighteenth Century Mosquitia," *The Americas* 70: 2 (2013), 237–268; and Doug Tompson, "Frontiers of Identity: The Atlantic Coast and the Formation of Honduras and Nicaragua, 1786–1894" (PhD diss.: University of Florida, 2001).

44. Offen, "Mapping Amerindian Captivity," 52.

45. Most evacuated slaves came from the areas identified by Offen as having mostly Afro-descendant slaves. Black River and Cape Gracias a Dios together accounted for 1461 slaves out of a total of 1891 slaves evacuated to Belize in 1786. See: A List of Settlers on the Mosquito Shore with their Slaves &c., October 16, 1786, Colonial Office records at The National Archives, Kew [hereafter, CO] 137/86.

Archaeological evidence suggests that the Mosquito Shore settlers who evacuated to Belize recreated a highly hierarchical social organization in Belize, which may have made lives of their slaves very rigid and controlled.⁴⁶

Despite the influx of evacuees from Mosquito Shore, the Baymen succeeded in monopolizing land ownership in the settlement by the end of the eighteenth century.⁴⁷ The Baymen constituted the public meeting that elected Magistrates who administered the settlement. The superintendency, a post introduced in 1784, represented the imperial government, and the early nineteenth century would witness a power struggle between the magistrates (and their public meeting) and the superintendent over the locus of executive authority in the settlement. The superintendent was responsible to the governor of Jamaica, the focal point of imperial authority in the region. However, the failure of the crown to adequately define the power of the superintendent, and the imperial government's vacillation over asserting its own sovereignty in Belize, contributed to the tenuous hold of the British imperial government over the settlement up to the 1820s.⁴⁸ The tenure of Superintendent George Arthur was a turning point that coincided with a greater metropolitan desire for establishing imperial control over the settlement, particularly in the matter of slaves.

On his arrival in Belize in 1814, Superintendent Arthur recognized that to assert the crown's sovereignty over the settlement it was necessary to break the settlers' monopoly over land and labor. With the support of Henry Bathurst, the third Earl Bathurst, who was Secretary of State for War and the Colonies, Superintendent Arthur tried to curb the settlers' powers by appropriating authority to dispose of unclaimed land to the office of the superintendent and requiring registration of existing claims.⁴⁹ Since the same settlers who monopolized land in the settlement were also the principal slaveholders—almost half of the slave population in 1816, for instance, was owned by only 11 families—Arthur's attempt to challenge the settlers' mastery over slaves must be seen within the

46. Daniel Finamore, "Sailors and Slaves on the Wood-Cutting Frontier: Archaeology of the British Bay Settlement, Belize" (PhD diss.: Boston University, 1994), 233. See also Daniel Finamore, "A Tale of Three Rivers: European and African Settlers in the New, Belize and Sibun River drainages," in *Research Reports in Belizean Archaeology*, Vol. 2, Jaime Awe, John Morris, Sherlyne Jones, and Christophe Heimke, eds. (Belize: National Institute of Culture and History, 2005).

47. Bolland, *The Formation*, 158.

48. Bolland, *The Formation*, 163.

49. The Earl Bathurst was involved in the question of abolition, arguably from the very start of his career in the 1780s. He was an acquaintance of William Wilberforce and received long letters from him about emancipation. Bathurst supported Arthur's ameliorative policies in Belize even when Arthur appeared to be overstepping his authority. Bathurst was also instrumental in removing George Arthur from Belize and posting him in Van Diemen's Land. See also Bolland, *The Formation*, 161.

broader struggle between the imperial government and local settler interests over sovereignty in Belize.⁵⁰

The amelioration period provided British imperial officials a unique opportunity to challenge settlers' sovereignty over slavery. Arthur's correspondence with the Earl Bathurst from 1816 to 1823 reveals a progressive disillusionment with the settlers' treatment of slaves and a concurrent attempt to ameliorate the slaves' condition. In 1816, at a time when Arthur appeared to hold a positive assessment of slavery in Belize, he wrote to the Earl Bathurst: "So great is the kindness, the liberality, the indulgent care of the Wood-cutters towards their Negroes that Slavery could scarcely be known to exist in this country."⁵¹ However, in the 1820s, a period coinciding with the rise of amelioration as the predominant position of the British government toward West Indies slavery, we can perceive a marked change in Arthur's views.

Beginning in 1820, Arthur questioned the legal system in Belize and attempted to bring the settlement within the legal regime of the British West Indies. Thus, in October 1820, following the acquittal of slaveholder Duncanette Campbell in a case involving her mistreatment of the slave Kitty, Arthur wrote to Bathurst that the result of the trial "absolutely excludes every hope under the present system of jurisprudence, of bringing offenders to punishment when guilty of the most flagrant acts of inhumanity and oppression."⁵² The following year, another case involving a female slave would bring Arthur to loggerheads with one of the principal magistrates and slaveholders in the settlement, a man named Bowen.

On September 25, 1821, Bowen was brought to trial on warrant for mistreating three of his slaves, including a black woman named Peggy. Arthur informed Bathurst that on the basis of a suspicion that the woman had stolen some handkerchiefs, she had been—by Bowen's orders—"severely flogged, and then handcuffed and shackled, placed in an old store, infested with vermin and the noisome flies of this country." Five days later when she tried to complain about this treatment, "she was again seized on, tied down on her belly to the ground, her arms and legs being stretched out, and secured to four stakes with sharp

50. Bolland, *Colonialism and Resistance*, 67.

51. Extract, George Arthur to Earl Bathurst, November 7, 1816, from *The Defence of the Settlers of Honduras Against the Unjust and Unfounded Representations of Colonel George Arthur, Late Superintendent of that Settlement: Principally Contained in His Correspondence Relative to the Condition and Treatment of the Slaves of Honduras, 1820–1823, and Printed by Order of the House of Commons, 16th June, 1823* (London: A. J. Valpy, 1824), 18 [hereafter, *The Defence*].

52. Extract, Lieut.-Colonel Arthur to the Right Hon. Earl Bathurst, October 7, 1820, in *Correspondence relative to the Condition and Treatment of Slaves at Honduras 1820—1823* [hereafter *Correspondence*]. Ordered by The House of Commons, to be Printed in June 1823, House of Commons Parliamentary Papers Online. ProQuest.

cords . . . exposed before men in a perfect state of nature, she was again severely flogged.”⁵³ Reacting to the jury and magistrate’s disinclination to punish Bowen, Arthur proclaimed the Consolidated Slave Law of Jamaica to be in force in the settlement.⁵⁴

The visibility of cases of maltreatment involving female slaves in these records may be due to what Anne Macpherson has described as a “volunteer” mode of resistance, in which female networks of relatives and friends would form a coalition that offered support to the victimized female slaves and brought complaints to the attention of the superintendent. Macpherson specifically makes the point that female slaves were able to maneuver to their benefit the conflict between the superintendent and the magistrates over the applicability of Jamaican slave laws in the settlement in the 1820s.⁵⁵

Cases such as those of Kitty and Peggy fed into Arthur’s broader displeasure with the magistracy in the settlement. He observed to Bathurst the “total and absolute impossibility of protecting the slave population, under the present system of jurisprudence in the colony.”⁵⁶ Lauren Benton and Lisa Ford have highlighted how curtailment of magisterial authority emerged as an imperial strategy in the context of abolition. They write: “Attention to the magistrates’ actions reflected a widespread concern with the capacity of local legal institutions to define and limit the scope of masters’ authority to punish slaves.”⁵⁷ Benton and Ford argue that the presentations of these contests as individual cases— “a set of disjointed projects of legal reform”—obscure the larger politics of legal pluralism in the British Empire at the beginning of the nineteenth century. Arthur’s struggle with Bowen, and indeed his later championship of the Mosquito Shore slaves, must be seen within this broader struggle between the imperial government and the local legal bodies comprised of slaveholding settlers.

Benton and Ford’s thesis helps us understand that while Arthur’s view of the magistrates may have expressed his personal feelings, it was also fed by a broader imperial strategy to curb magisterial power in the colonies. The conformity between Arthur’s views and the stance of the imperial government can be seen through the fact that Arthur’s correspondence to the Earl Bathurst formed part of the appendix of the parliamentary report of 1823,⁵⁸ and very

53. Extract, Colonel Arthur to the Earl Bathurst, September 28, 1821, *Correspondence*.

54. By the King—A Proclamation, September 28, 1821, Enclosure 5 in Extract, Colonel Arthur to the Earl Bathurst, September 28, 1821, *Correspondence*.

55. Anne MacPherson, “Viragoes, Victims, and Volunteers,” 28–30.

56. Copy, Colonel Arthur to the Earl Bathurst, February 22, 1822, *Correspondence*.

57. Benton and Ford, “Magistrates in Empire,” 175.

58. *Substance of The Debate in the House of Commons on the 18th May, 1823, on A Motion for the Mitigation and Gradual Abolition of Slavery throughout the British Dominions*. London: 1823.

soon after Arthur's term as superintendent of Belize, the Earl Bathurst issued a circular that formed the basis of the British policy of amelioration.⁵⁹ Among the proposals in that circular was the prohibition of corporal punishment on female slaves.⁶⁰

CASE OF THE 'INDIAN' SLAVES OF MOSQUITO SHORE (1822)

The proceedings of the Board of Commissioners (appointed by Superintendent Arthur to investigate the case of slaves held illegally in Belize) in 1822 in the case of the 'Indian' slaves can be regarded as the first crucial inflection point in the challenge to settler sovereignty in Belize in the 1820s. The death of a prominent settler from Mosquito Shore who had settled in Belize in 1821 following the evacuation opened the question of the disposal of the slaves in his possession.⁶¹ Although the Laws, Regulations and Customs of Honduras of 1803 asserted that the Consolidated Slave Law of Jamaica could be adopted in the settlement to the extent possible, slave laws in Belize were frequently applied on an ad hoc basis before 1821. The cases dealt with by the slave court, established in 1787, were of a limited nature, and it was not until the establishment of the Supreme Court in 1819 that a variety of cases could be tried.⁶² Slaves were not allowed to give evidence against white persons, although they could testify against other slaves. A slave was permitted to choose a person to assist him in his defense, although this role was usually assumed by the slave's owner.⁶³

Administration of justice was in the hands of seven annually elected magistrates who were often slaveholders themselves.⁶⁴ Immediately following Arthur's proclamation enforcing the Consolidated Slave Law in the settlement, slaves came forward in numbers that filled Arthur "with no less astonishment than the fraud and injustice which had so long been secretly practiced towards them." Most of the petitioners claimed to be persons of Indian descent who had been brought from Mosquito Shore during the evacuation and

59. Morgan, *Slavery and the British Empire*, 145.

60. Morgan, *Slavery and the British Empire*, 179. The other provisions of the circular included providing religious instruction to improve the slaves' character, giving slaves the right to present evidence in court, easing manumission processes, and limiting corporal punishment of slaves.

61. George Arthur to William Bullock, November 26, 1821, Enclosure 1 in Extract, Colonel Arthur to the Earl Bathurst, January 10, 1822, *Correspondence*.

62. O. Nigel Bolland, *The Formation*, 62.

63. Third Report of the Commissioners of Inquiry into the Administration of Criminal and Civil Justice in the West Indies and South American Colonies: Honduras and the Bahama Islands, February 24, 1829, CO 318/77, 10.

64. George Henderson, *An Account of the British Settlement of Honduras . . . To which are added, Sketches of the Manners and Customs of the Mosquito Indians, preceded by the Journal of a Voyage to the Mosquito Shore*, 2nd ed. (London: R. Baldwin, 1811), 63; Assad Shoman, *A History of Belize in 13 Chapters* (Belize: Angelus Press, 2011), 34.

subsequently held in illegal slavery.⁶⁵ This was not the first time these slaves had petitioned for freedom. Arthur's correspondence reveals that they had appeared before juries before, but their claims had been dismissed.

Under Arthur's direction, a "strict search" of Mosquito Shore records revealed two key pieces of information.⁶⁶ First, a proclamation in 1775 by the then governor of Jamaica, Basil Keith, strictly forbade enslavement of native Indians of the Mosquito Shore.⁶⁷ Second, on receiving Keith's proclamation, on October 29, 1776, the then acting superintendent of Mosquito Shore, James Laurie, prohibited any further enslavement of Mosquito Shore Indians but left untouched the question of the fate of Indians already enslaved before that date.⁶⁸ Firm in his conviction that these slaves had been retained unjustly by settlers in Belize, Arthur sought the legal opinion of the British government's attorney general in Jamaica, William Burge. The latter responded, making it clear that it was illegal to "hold in slavery *the native Indians of the continent of America*, or their descendants" and that Indians from Mosquito Shore were entitled to damages from their owners, who were also liable to criminal prosecution.⁶⁹

Forthwith, Arthur issued a proclamation asserting the "right of all such Indians or their descendants to their freedom."⁷⁰ Convinced that the existing judicial system in Belize, in the hands of slaveholders, was incapable of providing justice, Arthur appointed an independent commission to investigate the case and propose reparations to those slaves held illegally in Belize.⁷¹ The commission consisted of two military men, Major General A. H. Pye and Major John Coatquelvin, and James Hyde, a judge in the Supreme Court.⁷²

Beginning on January 9, 1822, this Board of Commissioners proceeded to collect evidence and testimonies regarding the alleged enslavement of Mosquito Shore

65. Extract, Colonel Arthur to the Earl Bathurst, January 10, 1822, *Correspondence*.

66. George Arthur to William Bullock, November 26, 1821, Enclosure 1 in Extract, Colonel Arthur to the Earl Bathurst, January 10, 1822, *Correspondence*.

67. For internal politics in the Mosquito Shore during the British protectorate that caused these proclamations, see William Sorsby, "The British Superintendency of the Mosquito Shore, 1749–1787" (PhD diss.: University College London, 1969).

68. George Arthur to William Bullock, November 26, 1821, Enclosure 1 in Extract, Colonel Arthur to the Earl Bathurst, January 10, 1822, *Correspondence*.

69. William Burge to William Bullock, December 11, 1821, Enclosure 3 in Extract, Colonel Arthur to the Earl Bathurst, January 10, 1822, *Correspondence*. [Emphasis in quote is in original].

70. Proclamation of January 5, 1822, Enclosure 4 in Extract, Colonel Arthur to the Earl Bathurst, January 10, 1822, *Correspondence*.

71. George Arthur to A. H. Pye, James Hyde, and John Coatquelvin, January 8, 1822, Enclosure 6 in Extract, Colonel Arthur to the Earl Bathurst, January 10, 1822, *Correspondence*.

72. Ironically, James Hyde was himself a prominent slaveholder. He did have, however, a history of intervening on behalf of slaves in cases against their masters. See for instance Karen Judd, "Elite Reproduction and Ethnic Identity in Belize" (PhD diss.: City University of New York, 1992), 230.

Indians. The commissioners admitted the difficulty of their task, given the long time that had elapsed between the enslavement of the Indians in Mosquito Shore and the petition at hand. Thus, where possible, the evidence of witnesses was cross-checked against a “partial and imperfect” registry of the Indian slaves of Mosquito Shore, from 1777.⁷³ The Board met at 11:00 every morning to hear witnesses give their testimonies. A total of 91 slaves sought freedom on the grounds of being of Indian descent. The board resolved that if the owner of the slave opposed any evidence or claim presented, the burden of proof would fall on the owner.⁷⁴

The commissioners charged with investigating the claims of the Mosquito Shore slaves admitted the difficulty of distinguishing the petitioners from black slaves: “Many of the petitioners who have appeared before the Board, from their repeated admixtures with the African race, have so lost the appearance of their Indian origin as not to be distinguished from negro slaves.”⁷⁵ Before evidence for each petition was heard, the petition was read aloud.⁷⁶ But apart from their physical presence in front of the board, the petitioning slaves played little part in the proceedings. Instead, the board heard testimonies of witnesses who could speak to the descent of the slaves in question. Many of the witnesses attested to the descent of slaves from “real Indians” or “Indians without mixture.” Some even identified the specific indigenous groups to which the ancestors of the individual slaves had belonged, including the Buccatora, Woolwa, Cookrah, Sambola, and Valiente.⁷⁷ However, the physical appearance of only two of the petitioners “corroborated the evidence given” that they were of indigenous descent.⁷⁸

The proceedings reveal that 20 percent or less of the slaves were above the age of 40. Of these, only five were 50 years or above and only one above 60. Many of the petitioners were children or grandchildren of evacuees and claimed Indian descent

73. Report of the Board of Commissioners of Indian Claims, February 8, 1822, Enclosure 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*. See also Return of the Registry of Indians on the Mosquito Shore in the Year 1777, February 8, 1822, CO 123/31.

74. Proceedings of the Board of Commissioners of Indian Claims, with the Correspondence and Documents appertaining to the same, January 9, 1822, Appendix no. 7, Enclosure 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

75. Report of the Board of Commissioners of Indian Claims, February 8, 1822, Enclosure 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

76. Unfortunately, I could not locate the actual petitions of slaves but had to rely on the report of the Board of Commissioners for their content.

77. These petitioners claimed that their ancestors had been captured by the Miskitos and then sold off to the British, a pattern that is corroborated by several recent historical works including those of Mary Helms, Wolfgang Gabbert, and Karl Offen.

78. Proceedings of the Board of Commissioners of Indian Claims, with the Correspondence and Documents appertaining to the same, January 9, 1822, Appendix no. 7, Enclosure 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

from their mothers and grandmothers. From what we know of the demographics of Mosquito Shore slave evacuees, we know that most were of African descent and that very few 'Indian' slaves evacuated to Belize. Given the likelihood of miscegenation and the reality of racial diversity both in Mosquito Shore and later after their arrival in Belize, it is likely that most of the petitioners were in fact Afro-indigenous.

The proceedings of the commission were a clear blow to the sovereignty of the settler elite over slaves in the settlement. Superintendent Arthur had intentionally circumvented the authority of the magistrates by creating the Board of Commissioners to investigate the petitions, rather than bringing the case to the courts of the settlement. As the commissioners' report made clear, the 'Indian' slaves were owned by the most prominent settlers, including judges and magistrates. By placing the burden of proof on the owners rather than the slaves, the commission further undermined settler authority. In addition, following the presentation of the petitions, many of the 'Indian' slaves resisted working for their owners, creating further resentment among the settlers. As the commission investigated the cases, the settler elite responded in two main ways: by questioning the legality of the proceedings and by taking punitive actions against the 'Indian' slaves.

During the proceedings, the owners of the petitioning slaves drew attention to an act of the Jamaican legislature that declared that all Indian slaves brought to Jamaica after December 28, 1741, and their descendants, were to be considered free. Using this act, the Belizean slaveholders argued that the petitioners should prove that they were not descended from Indians already in slavery before 1741, since the Jamaican law applied only to enslavement after that date.⁷⁹ Indeed, the slaveholders tried to reverse the commission's resolutions by arguing for the burden of proof to fall on the slaves themselves. Thus, one slaveholder, Thomas Paslow, expressed marked indignation at the Board of Commissioners' processes: "It has been urged by one individual, that proof lay upon the possessor or proprietor, against which unconstitutional doctrine *I solemnly protest* [emphasis in original], as all claimants or plaintiffs, throughout the British dominions, are obliged to allege cause; and to the law of my country I implicitly bow."⁸⁰

79. Archibald Colquhoun to Commissioners, January 10, 1822; Thomas Paslow to Board of Commissioners, January 15, 1822, appended to Proceedings of the Board of Commissioners of Indian Claims, Enclosure 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

80. Thomas Paslow to Commissioners, January 15, 1822, appended to Proceedings of the Board of Commissioners of Indian Claims, January 9, 1822, Enclosure 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

The proprietors also questioned the veracity of the slaves' claims to Indian descent based on their physical appearance, which seemed indistinguishable from black slaves.⁸¹ Thomas Paslow wrote that his slave Horatio claimed freedom "on the ground of being descended from an Indian, although apparently a *real negro*."⁸² Magistrate John Wright questioned the slaves' motivation, suggesting they had been externally instigated to go against their owners: "The reason of which these persons now claim their freedom is obvious, from enquiries made amongst them; they were given to understand that the bare proof of Indian origin would at once liberate them, without the slightest knowledge that any Act was in existence to the contrary."⁸³

The proceedings of the board heightened tensions between masters and slaves in the settlement. The board received complaints from proprietors that the slaves "refuse to do any duty whatever to them as servants and that some of them have even absented themselves entirely."⁸⁴ More flagrantly, the slaveholders retaliated by punishing the 'Indian' slaves. Thus Bess Meighan, one of the petitioning slaves, was cruelly beaten and restrained by the influential magistrate Bowen (mentioned earlier) and his mulatto mistress Clarissa Paslow.⁸⁵ The Board of Commissioners reported that Bess had been "severely beat about the head and face, one of her eyes being completely closed, and also marks of whipping on the back and shoulders; her left foot was also swelled, as she stated from the effects of the chain with which she was fastened."⁸⁶ As tensions mounted, the board expressed to Superintendent Arthur its inability to resolve the situation because of its limited powers, which were confined to the investigation of the case of the 'Indian' slaves.

81. Samantha Billing has suggested that the characterization of Miskitos as '*indios*' or Afro-descendants (*'sambos'*) in the eighteenth century often stemmed not from any real physical differences but from the agendas of Spanish colonial officials. This insight can be fruitfully applied in the case of the Mosquito Indians in Belize, and it also serves to draw attention to the ways in which the goals of the slaveholding elite often translated into a particular kind of racial characterization of the "Indian" slaves. See Samantha Billing, "Indios, Sambos, Mestizos, and the Social Construction of Racial Identity in Colonial Central America," *Ethnohistory*, 68:2 (April 2021): 269–290.

82. Thomas Paslow to Commissioners, January 15, 1822. [Emphasis in quote is in original].

83. John Wright to Commissioners, n.d., appended to Proceedings of the Board of Commissioners of Indian Claims, with the Correspondence and Documents appertaining to the same, January 9, 1822, Enclosure 2, Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

84. Commissioners to Superintendent Arthur, January 16, 1822, appended to Proceedings of the Board of Commissioners of Indian Claims, with the Correspondence and Documents appertaining to the same, January 9, 1822, Appendix no. 7, Enclosure 6 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

85. This case also highlights both the agency and the vulnerabilities of enslaved women who worked mainly as domestic slaves in urban households and remained without the protective presence of male slaves who labored in mahogany camps. The settler elite's repugnance to amelioration was arguably as much about their physical control over women's bodies as it was about profits from enslaved men's labor.

86. Commissioners to George Arthur, February 1, 1822, Enclosure 2 in Copy, Colonel Arthur to the Earl Bathurst, February 22, 1822. *Correspondence*.

Faced with the growing turmoil in the settlement, Arthur in an unprecedented move authorized the board to take the petitioning slaves under its protection. In this, Arthur presaged the practice, to be adopted in some British colonies soon after, of establishing protectors to oversee the interests of the enslaved.⁸⁷ The commissioners in turn removed the Indian petitioners from the owners and placed them under the protection of Provost Marshal Richard Davies Bull.⁸⁸ In placing the slaves under the protection of the Board of Commissioners, Arthur received backing from the imperial government, and he noted that his actions were “warmly supported by His Honor the Lieutenant-Governor of Jamaica.”⁸⁹

By resolutely bypassing the judicial system of the settlement and instead devolving extraordinary powers on the Board of Commissioners, Arthur’s actions presented an unprecedented challenge to the sovereignty of the settler elite. On January 28, 1822, he announced to the magistrates the consequences of the settlers’ continued resistance: “I have taken the fixed determination to allow no compromise or accommodation on behalf of those who shall excite further commotion; but placing the Indians under the protection of the Provost Marshal General, I shall, by the earliest opportunity, refer all such cases to His Majesty’s government, praying that a mandamus from the Court of King’s Bench may be issued to remove such parties to England for trial at the suit of the Indians.”⁹⁰ Indeed, in this and other pieces of correspondence, Arthur clearly expressed his desire to bring the case of the ‘Indian’ slaves within the purview of imperial law and justice.

On February 8, 1822, the Board of Commissioners submitted its report to the superintendent. The board’s report made it clear that the ‘Indian’ slaves were owned not only by judges, magistrates, and other Belizean settlers, but also by officers of the crown on Mosquito Shore. Moreover, these slaves had been bought and sold publicly in all respects as African slaves in the settlement. However, the board also noted that since many of the slaves had passed through several hands, it was impracticable to try to recover damages from the owners. Finally, the board resolved that “their [the ‘Indian’ slaves] freedom is

87. The office of Protector was one of the key provisions made under the Order in Council of Trinidad in 1824, which was a cornerstone of amelioration policy. The Protector was charged with maintaining peace and order and providing protection and guardianship to slaves. Other provisions of the Order in Council included slaves’ right to purchase freedom, emphasis on religious instruction, encouragement of formal marriage, and curtailment of different forms of physical punishment.

88. Commissioners to George Arthur, February 1, 1822, Enclosure 2 in Copy; Colonel Arthur to the Earl Bathurst, February 22, 1822, *Correspondence*.

89. Superintendent Arthur to Commissioners, January 26, 1822. Appendix no. 7, Enclosure 18, in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

90. Superintendent Arthur to Magistrates, January 28, 1822, Appendix no. 7, Enclosure 20, in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

an inherent or unalienable right, of which no consideration can deprive them.”⁹¹ On February 11, Arthur laid the report of the commissioners before the magistrates of the settlement. At that meeting, the settlers opposed the recommendations of the commission using the provision of the Act of 1741 of Jamaica that allowed slaveholders to retain their slaves as long they were registered,⁹² and Arthur noted: “The general determination is not to give up the Indians.”⁹³ Finally, submitting the case to the Earl Bathurst, for a final decision—and thereby, bringing it under the direct purview of the metropolitan government—Arthur asserted, “I have done nothing more than my duty.”⁹⁴

Following the Board of Commissioners’ report, the slaveholders sought to regain their mastery over slaves. They attempted to recover the Indians held by the Provost Marshal by making costly representations in Jamaica.⁹⁵ In March 1822, the Public Meeting—comprised of some of the principal slaveholders—approved a motion that all representations of the case would thenceforth be made through an agent in London and not through the superintendent.⁹⁶ One of the questions raised by Arthur’s opponents was the applicability of Jamaican laws in Belize and, in fact, the superintendent himself was aware that he had extended his prerogatives in the Indian case. When ill health forced Arthur to return to England on leave, the settlers sent an agent to London to “orchestrate” legal measures and bar him from returning to Belize.⁹⁷ In 1823, Arthur left for Van Diemen’s Land, where he took up the position of lieutenant governor.⁹⁸ Arthur’s departure from the settlement was followed by the advent of Edward Codd, a superintendent much more sympathetic to settler interests.

Despite the efforts of the settler elite, however, the British imperial government would have the final say on the case of the ‘Indian’ slaves of Mosquito Shore. By February 1827, the Commission of Legal Inquiry on the Case of Indians at

91. Report of the Board of Commissioners of Indian Claims, February 8, 1822, Enclosure 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

92. For the full text of the law see: “Copy of an Act of the Legislature of Jamaica, dated 1741”, Appendix no. 2 in Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

93. Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

94. Extract, Colonel Arthur to the Earl Bathurst, February 28, 1822, *Correspondence*.

95. Evidence suggests that in some cases the slaveholders maintained de facto control over the “Indian” slaves, even during the period in which they were placed under the Provost Marshal General. Thus, Anne Macpherson finds that Bess Meighan, one of the petitioning female slaves, absconded from the household of Magistrate Bowen in 1823. She eventually returned and was severely punished by Bowen and his mistress, Clarissa Paslow. See Macpherson, “Viragoes, Victims and Volunteers,” 29–30.

96. George Arthur to the Earl Bathurst, March 5, 1822, CO 123/31.

97. Alan Lester, “Personifying Colonial Governance: George Arthur and the Transition from Humanitarian to Development Discourse,” *Annals of the Association of American Geographers* 102:6 (2012): 1476.

98. According to Alan Lester and Fae Dussart, George Arthur continued his policy of amelioration during his time in the penal settlement of Van Diemen’s Land, applying it to develop a policy toward convicts and aboriginal people. See Lester and Dussart, *Colonization and the Origins of Humanitarian Governance*, 61.

Honduras—which Bathurst had charged with investigating the matter after Arthur’s departure—submitted its report. It recommended that all those enslaved before 1776 (that is, before Basil Keith’s proclamation) be considered slaves and the masters compensated. However, all the Indian slaves were to be set free, since returning them to their masters might cause undue tensions and hostilities.⁹⁹ Commissions of Legal Inquiry began to operate in the 1820s when the British government sent London-trained barristers to its colonies to assess the legal system there. These became significant fact-finding missions, with the commissioners exercising unprecedented ability to comment on the legal systems they found and suggest ways of remedying what they perceived as limitations of these systems.¹⁰⁰ According to Benton and Ford, these commissions were “agents of a metropolitan drive to realign empire” and gave rise to “the ethos of extending metropolitan authority in the interests of the global, imperial order.”¹⁰¹

In the case of Belize, the commission allowed the imperial government to extend its influence over an area that had hitherto been marginally connected to the British Caribbean legal system. The outcome of the commission’s report was the liberation of all the petitioning slaves, regardless of ethnic origin. In that sense, it was a clear blow to the hegemonic power of the Belizean settler elite. While Benton and Ford have examined the commissions within the broader question of development of international law, the Belize case shows that the commissions are also critical to understanding how the amelioration period tied empire together—particularly in bringing frontier and marginal areas into the legal purview of the British empire—and challenged the settlers’ sovereignty over slavery.

In the aftermath of the report of the Commission of Legal Inquiry on the Case of Indians at Honduras, J. Stewart of the Treasury Chambers on April 16, 1829, informed Horace Twiss, Under-Secretary of State for War and the Colonies, that none of the slaves under the protection of the Provost Marshal should be returned to their owners even if there was no evidence that they were descended from Indians. Rather, Stewart suggested, the settlers should nominate an agent in London.¹⁰² That agent would negotiate with the British

99. Report of the Commission of Legal Inquiry on the Case of the Indians at Honduras, July 10, 1828, Ordered to be printed by the House of Commons, House of Commons Parliamentary Papers. ProQuest.

100. For more on the Commission of Legal Inquiry, see Lauren Benton and Lisa Ford, *Rage for Order: The British Empire and the Origins of International Law, 1800–1850* (Cambridge: Harvard University Press, 2016).

101. Benton and Ford, *Rage for Order*, 82.

102. The practice of communicating with the British government through an agent in London had deeper roots. In fact, until George Arthur’s superintendence, the settlers in Belize had used the services of an agent. Part of the complaints of the settlers in *The Defence* alleged that George Arthur, upon assuming the position of Superintendent, had persuaded the settlers to discontinue their agent. *The Defence*, 5.

government for compensation to the slaveholders.¹⁰³ In March 1830, the agent successfully negotiated for almost £8000, and the following month Twiss wrote to Stewart that “the native Indians must now be considered as lawfully and conditionally free, and they will therefore be only answerable for misconduct to the laws of the settlement.”¹⁰⁴ After almost a decade of litigation and negotiation, and a few years shy of formal emancipation of slaves in the British Caribbean, the Mosquito Shore slaves had won their freedom.

THE CASE OF RUNAWAY SLAVES (1825)

It was not just British imperial officials like Superintendent Arthur and the Earl Bathurst who challenged settler sovereignty in the amelioration period. Slaves themselves, emboldened by Central American emancipation, crossed over to safety and freedom. This section deals with the second inflection mentioned early in this article: the departure of African and Afro-descendant slaves in 1825, the challenge it constituted to settler sovereignty over slaves, and the diplomatic contest over the desertion.

The concurrence of this escape and British amelioration meant that restitution of runaway slaves was more difficult than ever. The diplomatic contest over desertion of slaves from the settlement in 1825 illuminates how the decade of the 1820s constituted a crucial challenge to settler sovereignty over slaves. From the very beginning of the litigation surrounding the ‘Indian’ slaves of Mosquito Shore, the settlers pointed to the harmful effects of the case on the black population of the settlement. Writing to the Earl Bathurst in March 1823, the then superintendent Edward Codd lamented that despite the good conditions of slaves in the settlement many were deserting because of the ‘Indian’ case:

Since Christmas, as it is ascertained (for I have called for their names and owners) 39, as they are represented, of the very best negroes, have absconded, without any apparent cause, no severity, no punishment, that I can learn, has been inflicted;

103. J. Stewart to Horace Twiss, April 16, 1829, CO 123/40.

104. As the case of the ‘Indian’ slaves of Mosquito Shore indicates, slaveholders demanded compensation for liberating slaves even before the abolition Act of 1833, and there were also instances when the British government distributed compensation. In 1799, a total of £677,382 was awarded for compensation against claims in West India, London, and the East India docks. Nicholas Draper, *The Price of Emancipation: Slave-ownership, Compensation and British Society at the End of Slavery* (Cambridge: Cambridge University Press, 2010), 124. In 1831, slaveholders of the parish of St. Ann’s in Jamaica determined to surrender slaves only in return for sufficient compensation. Kathleen M. Butler, *The Economics of Emancipation: Jamaica & Barbados, 1823–1843* (Chapel Hill: University of North Carolina Press, 1995), 11. Settlements of slave compensation in the 1820s and 1830s, however, were often delayed due to the “mismatch of the demands for compensation and the nation’s propensity to pay.” Draper, *The Price of Emancipation*, 294 n15. For Twiss quote, see Horace Twiss to J. Stewart, April 6, 1830, Papers Relating to Honduras Indians, House of Commons Papers, July 1, 1830.

but they have secretly left their homes; and it appears the general feeling [is] that it arises from the effects of so many persons standing up for their freedom, who have been for many years their fellow-slaves.¹⁰⁵

That highlighting the possible deleterious effects of the ‘Indian’ case on the black population was a strategy adopted by the settlers to counter efforts at emancipation of the Mosquito Shore slaves is apparent. It is true, however, that the records do show a preoccupation with slave desertion in the 1820s and an increase in the number who left. Contrary to the settlers’ claims, however, these likely resulted more from the fact of Central American emancipation than as a response to the Mosquito Shore case. Central American emancipation followed closely on the heels of the region’s independence from Spain. Following the wars of independence, many Latin American states balked on the promise of immediate emancipation, even though Chile (1823), the Central American Federation (1824), and Mexico (1829) did carry out their projects of emancipation. As George Reid Andrews notes, “In each of these countries, however, the slave population numbered only a few thousand or less and was an insignificant part of the local labor market. In countries where slaves were more numerous, owners remained violently opposed to emancipation.”¹⁰⁶

Guatemala, which as part of the Central American Federation had ended slavery in 1824, became a prime receptacle for slaves deserting from Belize, the other major recipients being Omoa and Trujillo (in present day Honduras). However, as Catherine Komisaruk has shown, even before the formal end of slavery, Guatemala was an attractive destination for blacks from neighboring regions. She shows how through a combination of mechanisms including manumission, access to wages and credit, physical mobility and the use of law, a large percentage of black people had successfully moved out of slavery.¹⁰⁷ She convincingly argues that “the emancipation law of 1824 essentially ratified a long-term social transformation that was already almost complete.”¹⁰⁸

While the existence of free states no doubt provided an impetus to slave flight from Belize to places like Guatemala and Honduras, there was a much longer

105. Extract, Major-General Codd to the Earl Bathurst, March 8, 1823, *Correspondence*.

106. George Reid Andrews, *Afro-Latin America, 1800–2000* (New York: Oxford University Press, 2004), 65.

107. Catherine Komisaruk, “Becoming Free, Becoming Ladino: Slave Emancipation and Mestizaje in Colonial Guatemala,” in *Blacks and Blackness in Central America*, Gudmundson and Wolfe, eds. (Durham: Duke University Press, 2010).

108. Komisaruk, “Becoming Free.”

history of trans-imperial slave movement in the region.¹⁰⁹ From 1680 to 1790, the Spanish crown offered sanctuary and freedom to runaway slaves, especially those who converted to Catholicism. In 1750, the crown issued a royal decree that granted extensive and blanket emancipation to all slaves proceeding from English and Dutch colonies.¹¹⁰ Even after the end of the sanctuary policy, enslaved people continued to cross over to Spanish territory. Slaves from Belize rebuilt their lives across the border, as in a case from 1795 when 32 Belizean slaves became freedmen. Some even intermarried with Maya women in Petén, much to the chagrin of local caciques.¹¹¹ Nor was Belize unique in this sort of movement. Rather we have evidence of slaves from other British colonies such as Essequibo and Grenada also fleeing into colonial Spanish America.¹¹² Matthew Restall, who has traced the phenomenon of slave flight from Belize back to the 1730s, notes that there was an increase in the incidence of slave flight in the 1820s in the context of Central American emancipation.¹¹³ What differentiated the slave flights of the eighteenth century from those in the 1820s was the fact that the concurrence of Central American emancipation and British amelioration gave a de facto legality to this movement and made it increasingly difficult for the British government to press for restitution of slaves.

From the outset political leaders in Central America likened the period of colonialism under the Spanish as one of servitude. A proclamation addressed to the “citizens of the United Provinces of the Center of America” declared: “Hitherto ye had not been masters of your fate. . . . Your actions were tied by the sorrowful cord of slavery.”¹¹⁴ Following on its independence, Central America promptly passed a decree abolishing slavery, in 1824. Article 4 of the decree related to fugitives from other nations: “All decrees and orders of the Spanish Government, that establish the freedom of slaves who come from foreign kingdoms to our states to regain their freedom, shall be ratified without prejudice to what is arranged on the matter, by treaties between nations.”¹¹⁵ When 19 slaves fled to Petén and 13 to Omoa in 1825, Superintendent Codd wrote to the authorities in Guatemala seeking cooperation in apprehending the

109. Matthew Restall and Mark Lentz, for instance, have highlighted the movement of slaves from Belize to both Yucatán and Guatemala in the colonial period. See: Restall, “Crossing to Safety?” and Lentz, “Black Belizeans and Fugitive Mayas.”

110. Linda Rupert, “‘Seeking the Water of Baptism’: Fugitive Slaves and Imperial Jurisdiction in the Early Modern Caribbean,” in *Legal Pluralism and Empires, 1500–1850*, Benton and Ross, eds., 203.

111. Testimonio del expediente sobre trasladar 32 negros que se pasaron al Peten de Walix al paraje nombrado Sn. Josef, 1800., Archivo General de Indias [hereafter AGI], Estado 49, no. 74, cuaderno 2.

112. Apresamiento de piragua con trece esclavos negros fugitivos, December 16, 1807, AGI, Estado 63, no. 29; Sobre negros esclavos ingleses arribados a Isla Margarita, October 31, 1798, AGI, Estado 67, no. 57.

113. Restall, “Crossing to Safety,” 386.

114. “Proclamation to the Citizens of the United Provinces of the Centre of America,” July 10, 1823, CO 123/36.

115. Manuel Pineda, *Recopilación de las leyes de Guatemala, compuesta y arreglada a virtud de orden especial del Gobierno Supremo de la República*, Vol. 1 (Guatemala: Imprenta de la Paz, en Palacio, 1860), 218.

runaway slaves.¹¹⁶ These slaves had been employed in the mahogany works on the Belize River and had used the recently constructed road connecting Petén and Belize to make their escape. The settlers feared that these desertions if left unchecked would spiral into insubordination and abscondence among the remaining slaves in the mahogany works, particularly since the runaway slaves appeared to be in communication with them.¹¹⁷ By February 15, 1825, a total of 120 slaves had reportedly deserted.¹¹⁸

Blaming Article 4 of the decree for the desertion of slaves, Codd wrote: “A decree thus openly promulgated of freedom and protection in your Provinces and speaking of orders and Laws of which we never had any knowledge, could not fail to produce on the slaves of this settlement the most dangerous influence.”¹¹⁹ Prominent settlers argued that the Central American decree was a deliberate effort to weaken the British settlement: “It was now perfectly clear that the Law had evidently been made with a view to affecting this settlement, as it was now no secret in Petén that Guatemala had sent orders to declare free all English negroes that came there.”¹²⁰ Guatemala, it was felt, was enticing slaves since it lacked a large labor pool and could use the slaves to serve in its troops.¹²¹ Pointing to “daring threats” circulated by slaves in the settlement, the magistrates argued for white soldiers to be deployed in Belize since black regiments could not be trusted to act against their “fellow countrymen.”¹²²

The settlers’ response to the threat of desertion of their slaves can be seen through diplomatic efforts on the part of Superintendent Codd, who presented himself as “the Protector of the interests and properties of his subjects.”¹²³ Correspondence between 1825 and 1829 shows Codd’s attempts to arrive at a diplomatic solution to this problem with a two-pronged approach: negotiating with Guatemala and gaining support from the British government in London. In a letter to Wilmot Horton, undersecretary to the Earl Bathurst in March 1826, Codd expressed the difficulties of sending an envoy to Guatemala. In the same letter, he suggested that the Central American provinces were weak and might cooperate in the restitution of the runaway slaves if Britain threatened to withhold

116. Magistrates to Edward Codd, January 28, 1825, CO 123/36.

117. Superintendent to the Earl Bathurst, February 15, 1825, Belize Archives and Records Service [hereafter, BARS], R. 4c.

118. Superintendent to the Earl Bathurst, February 15, 1825, BARS, R. 4c.

119. Edward Codd to Supreme Executive of Guatemala, February 1825 (exact date unknown). CO 123/36.

120. Meeting of Council, February 13, 1825, CO 123/36.

121. This would have been a natural assumption, given the history of Africans and slaves being used in late colonial Bourbon armies in Guatemala. See for instance Ana Margarita Gómez, “Al Servicio de las Armas”: The Bourbon Army of Late Colonial Guatemala, 1762–1821” (PhD diss.: University of Minnesota, 2003); and Mark Lentz, “Black Belizeans,” 649.

122. Meeting of Council, February 13, 1825, CO 123/36.

123. Superintendent Edward Codd to Supreme Executive Power of Guatemala, February 1826, CO 123/36.

recognition of the nascent state.¹²⁴ However, Codd's efforts at a diplomatic solution failed. His envoy to Guatemala, Marshall Bennett, was treated as a "subaltern agent" and in July 1826 Codd informed Wilmot Horton of the failure of the mission.¹²⁵

Back in July 1823, almost a year before the decree of emancipation, the authorities of the United Provinces had expressed the desire to establish "liberal and good understanding" with Great Britain. Following Codd's efforts to gain restitution of the slaves, however, Guatemala proved to be inimical to the idea of negotiating with Belize. Instead, by the summer of 1826, Guatemala indicated that it would negotiate on the question of the runaway slaves only through its plenipotentiary to the British crown, and not through Codd.¹²⁶ The latter, on his part, urged the British Foreign Office to act on behalf of the settlement. The prevalent feeling among settlers around the question is evident from an article in the *Honduras Gazette and Commercial Advertiser* from July 15, 1826: "We know her [Guatemala's] imbecility, her want of everything essential to make a nation, and that her fall is certain—if Great Britain does not preserve her."¹²⁷ For its part, the Foreign Office in London proceeded cautiously on the issue. As early as 1825, the king's advocate, Christopher Robinson, had urged on George Canning that Foreign Office intervention was needed to resolve the question of runaways to Central America.¹²⁸ By the spring of 1826, the Foreign Office was recommending a "friendly representation" to Guatemala, rejecting Codd's request for stronger measures.¹²⁹

While the issue of slaves presented a practical and immediate issue to resolve between Guatemala and Great Britain, a potentially farther-reaching concern was that of the boundary between Belize and Guatemala. According to the doctrine of *uti possidetis*, Guatemala sought to inherit the areas that had previously been under Spanish rule. However, despite a series of treaties between Spain and Great Britain, the territorial limits of the Honduras settlement had never been defined, and Spain had sought to maintain its title to the territory while permitting only usufruct rights to the British. Guatemala, by laying claim to the areas previously under Spanish control, presented a

124. Edward Codd to Wilmot Horton, March 4, 1826, CO 123/37. The undersecretary to the Earl Bathurst, Robert Wilmot Horton, was responsible for reorganizing and reforming the Colonial Office in the 1820s. According to Neville Thompson, the strength of Bathurst's commitment to amelioration can be seen in his correspondence with Wilmot Horton. Neville Thompson, *Earl Bathurst and the British Empire, 1762–1834* (Barnsley, South Yorkshire: Leo Cooper, 1999).

125. Marshall Bennett to Edward Codd, June 14, 1826, CO 123/37; Edward Codd to Wilmot Horton, July 17, 1826, CO 123/37

126. Juan Francisco de Sosa to Superintendent, Belize, May 30, 1826, CO 123/37.

127. *Honduras Gazette and Commercial Advertiser* [hereafter *Honduras Gazette*], July 15, 1826.

128. Christopher Robinson to George Canning, July 6, 1825, CO 123/36.

129. Joseph Planta to Wilmot Horton, March 17, 1826, CO 123/37.

direct threat to British sovereignty in Belize. According to Narda Dobson, the persistence of Guatemalan claims against Britain over Belize may have resulted from Britain's reluctance to officially recognize the Central American Federation.¹³⁰ In 1823, a meeting of the national assembly in Guatemala brought to the fore the issue of British rights in the settlement of Honduras.

Throughout the late 1820s, there were intermittent negotiations between Britain and Guatemala over the twin issues of boundary and slaves.¹³¹ There appears to have been some minor breakthrough: in June 1825 we have evidence that 11 runaway slaves did return to Belize from Petén.¹³² In 1826, Consul O'Reilly attempted to negotiate with Guatemala to suspend the Federation's slave laws with respect to the runaways from Belize.¹³³ The settlers' desperation to effect return of slaves can be seen in Codd's proclamation of January 1826, offering free pardon to all runaways who returned to their owners.¹³⁴ By the beginning of Francis Cockburn's term as superintendent of Belize in 1830, however, the possibility of restitution of runaway slaves looked increasingly remote.¹³⁵

Part of the difficulty in resolving the situation certainly was the commitment to emancipation or amelioration declared by governments of both Central America and Great Britain. The Guatemalan Senate was opposed to the idea of restitution, because it appeared to contravene the nation's constitutional guarantees of liberty, which extended to foreign slaves seeking asylum.¹³⁶ Moreover, following the Demerara Rebellion (1823) and the obstructionist attitude of West Indies assemblies toward amelioration from 1825 onward there was a greater impetus to abolitionist activity in Britain.¹³⁷ In this context, the Foreign Office did not want to appear to be taking the side of slaveholders, particularly since Britain subscribed to the same principles regarding slavery as Guatemala.¹³⁸ Writing to Canning about the Federation's position in February 1826, John O' Reilly pointed out that "The violent Republican party will never retract the abolition Law of the Constitution, which they say would be degrading, and they rely that the British government will not enforce claims

130. Narda Dobson, *A History of Belize* (London: Longman Caribbean, 1973), 187.

131. Dobson, *A History of Belize*, 187.

132. Superintendent Codd to Earl Bathurst, June 6, 1825, BARS, R. 4d.

133. John O'Reilly to George Canning, February 17, 1826, CO 123/39.

134. Proclamation of 1826, January 1, 1826, BARS.

135. Draft of proposed instructions to Colonel Cockburn, n.d., CO 123/40.

136. Report of the Senate of Guatemala to Congress, May 27, 1826, CO 123/37.

137. Kenneth Morgan, *Slavery and the British Empire*, 182. An interesting aspect of this change was the actions of the Colonial Office, which over the period between 1823 and 1831 moved away from the reform-oriented amelioration policy to one of full abolition. Mary Reckford, "The Colonial Office and the Abolition of Slavery," *Historical Journal* 14:4 (December 1971), 723–734.

138. Joseph Planta to Wilmot Horton, March 17, 1826, CO 123/37.

tending to perpetuate slavery.”¹³⁹ In fact, according to one interpretation, Britain’s own policies may have contributed to abolition in Latin America. Thus, Schmidt-Nowara writes: “External forces also explain why abolition laws took hold [in Latin America]: the British government effectively enforced the suppression of the slave trade to the newly independent republics. In the 1820s, Britain made slave trade abolition a condition of recognizing independence. One of the questions that its envoys had to answer about new regimes was explicit: “Has it abjured and abolished the Slave Trade?””¹⁴⁰ Slave flight from Belize to neighboring regions was certainly not a new phenomenon. But the concurrence of the two projects of emancipation allowed for a novel situation in which slave flight was openly supported by the government of Central America and tolerated by Britain. This gave rise to a de facto legality for slave flight that blacks in Belize were able to use to their benefit.¹⁴¹

SETTLER RESPONSE: THE NARRATIVE OF ‘BENIGN’ SLAVERY IN BELIZE

Throughout this period, the settlers were at pains to show that slavery in the settlement was benign and that slaves had deserted not due to ill treatment but because of the heightened expectations among slaves resulting from the ‘Indian’ case and from Central American efforts to lure them across the border. Thus, referring to the Central American decree of 1824, Codd wrote: “The treatment also of the negroes in the settlement has been of that excellent nature, that nothing but the visionary hopes, which such decrees are calculated to produce in the minds, could have influenced them to have deserted a home their families and friends where every comfort was afforded them and where slavery existed but by name.”¹⁴² Indeed, perhaps the slaveholders’ most potent way of responding to the challenges presented by the amelioration period of the 1820s was in crafting a narrative of Belizean slavery as benign and wholesome—a story line that would persist for generations.

In 1824, the Anti-Slavery Society published materials showing abuses of slaves in the settlement, which Superintendent Arthur had collected, The settlers then

139. John O’ Reilly to George Canning, February 17, 1826, CO 123/39.

140. Christopher Schmidt-Nowara, *Slavery, Freedom, and Abolition*, 113. It must be noted that Schmidt-Nowara’s interpretation is open to question. Recent scholarship has problematized the British-centric diffusionist model of abolition. See the special issue of *Historia Mexicana*, 69:2 (October-December 2019).

141. One of the interesting aspects of this legal question was the widespread belief that if a slave crossed into Guatemala and then crossed back to Belize, he became a free man in the English settlement. See H. (Horace Twiss?), October 13, 1830, CO 123/41.

142. Edward Codd to Supreme Executive Guatemala, February 1825, CO 123/36.

published a response titled *The Defence of the Settlers of Honduras against the Unjust and Unfounded Representations of Colonel George Arthur*.¹⁴³ Accusing Arthur of using the issue of slavery to deflect attention from his poor reputation in the settlement and gain support from the British government, the settlers argued that the superintendent had misrepresented the condition of slaves in Belize. Arguing that Arthur's actions were motivated less by altruism than ambition, the report stated that "Colonel Arthur's proceedings throughout have not been actuated by good and worthy motives, but by the sure prospect of aggrandizing himself through the interest of a powerful party at home."¹⁴⁴ Not only that, the settlers argued, but Arthur himself had been fomenting discontent among slaves in the settlement. Thus, commenting on the treatment of Bowen, the man accused of mistreating female slaves in 1821, the authors of *The Defence* claimed that Arthur's actions had been "actuated by feelings of revenge" and that he had interfered with the slaves, "inducing them to revolt" against the magistrate.¹⁴⁵

The settlers also portrayed Arthur as cruel and calculating toward the slave population, giving as evidence the case of Abraham Cooke, a black slave Arthur had punished with 500 lashes.¹⁴⁶ Moreover, the superintendent had humiliated and oppressed the settlers and their representatives. The report detailed the case of Archibald Colquhoun, a magistrate who was reduced to a common prisoner and subsequently died of depression.¹⁴⁷ Ultimately, suggested the authors of *The Defence*, Arthur had trampled on the freedom of 'Britons' and tried to tamper with the laws of the settlement—"all under the specious pretext of suppressing evils which never existed."¹⁴⁸ By stressing the liberty of "freeborn Englishmen," Lester and Dussart suggest, the settler community produced "a very different conception of freedom from that of both the antislavery movement and their humane, autocratic governor."¹⁴⁹ The settlers' characterization of Arthur as cruel and oppressive had far-reaching consequences. It was, as Lester and Dussart write, "the beginnings of a portrayal of Arthur as a touchy, tyrannical despot that historians have perpetuated and applied to his subsequent governorships in both Australia and Canada."¹⁵⁰

143. The Anti-Slavery Society was established between 1820 and 1823. Its initial aims were gradual emancipation and improving the condition of slaves. Quakers constituted its main support base and its leading spokesman in Parliament was a Quaker brewer, Sir Thomas Fowell Buxton. See Kenneth Morgan, *Slavery and the British Empire*, 177–178. The settlers responded to the Anti-Slavery Society's publications with *The Defence*, cited above.

144. *The Defence*, 14.

145. *The Defence*, 16.

146. *The Defence*, 20.

147. *The Defence*, 22.

148. *The Defence*, 2.

149. Alan Lester and Fae Dussart, *Colonization and the Origins of Humanitarian Governance: Protecting Aborigines across the Nineteenth-Century British Empire* (Cambridge: Cambridge University Press, 2014), 57.

150. Lester and Dussart, *Colonization and the Origins of Humanitarian Governance*, 59.

In his popular 1811 account of the settlement, Captain George Henderson described slavery in Belize as benign compared to other plantation societies in the Caribbean and the United States. He described the “festivity and merriment” among African slaves as the season of felling wood ended, and suggested that their dwellings were comparable to those of their masters.¹⁵¹ While the challenges of the 1820s, including the Mosquito Shore case and the ensuing slave flight, had undermined this image of Belizean slavery, the settler elite, in both *The Defence* and subsequent writings, attempted to recoup this image of the British settlement as a site of ‘benign’ slavery. From its first edition in 1826, the *Honduras Gazette and Commercial Advertiser*, a weekly newspaper, became the mouthpiece of the settler elite; it was edited in the first year by the magistrates and subsequently controlled by the legislative assembly.

The *Honduras Gazette* regularly featured news that portrayed settlers as just and merciful toward their black slaves. On June 27, 1826, for instance, it reported the case of King vs. Mary Tillet:

This was a case of a black woman, Margaret Cumming, for her freedom. . . . Her narrative of the circumstances whereby she had unjustly been brought into a state of slavery was clear, and appeared to be borne out by evidence. It caused our deepest commiseration. The trial occupied a considerable time, and after an able charge from the Court, the Jury found for the Prosecution, and thus at once emancipated the unfortunate woman. This trial reflects much credit on the authorities of this Settlement.¹⁵²

A *Honduras Gazette* editorial on July 22, 1826, asserted that contrary to the negative portrayal of the settlement on the question of slavery, steps toward amelioration of slaves had in fact already been taken by the settlers, even before any action of the metropolitan government. The editorial asserted that “offences committed by white and free people against slaves in the Colonies have been and are punished with tenfold greater severity than exactly similar offences committed in England by one free subject against another.”¹⁵³

The writers of the *Honduras Gazette* also compared slavery in Belize favorably against labor regimes in other parts of the world. Interestingly, one of the arguments made by the *Honduras Gazette* was that the slave in Belize was better off than a working-class person in Britain.¹⁵⁴ Of course in making this

151. George Henderson, *An Account of the British Settlement of Honduras*, 51.

152. *Honduras Gazette*, June 27, 1826.

153. *Honduras Gazette*, July 22, 1826.

154. *Honduras Gazette*, July 15, 1826, and September 23, 1826.

case, the settlers in Belize were feeding into a broader pro-slavery rhetoric that promoted the notion that West Indian slaves had better conditions than English laborers, artisans, beggars, and prisoners.¹⁵⁵ The *Gazette* also ran regular columns on slavery in other countries, again using them to exalt the slavery practiced in Belize as humane and progressive. On July 22, 1826, the *Gazette* ran a news piece titled “Horrors of the African Slave Trade, Practised by The French.” Describing Brazilian slaves as “miserable creatures,” the issue of August 12, 1826, deplored the practice in Brazil of importing more slaves from Africa to replenish the labor force, rather than ameliorating the condition of the slaves already there.¹⁵⁶ The writings in the *Gazette* reveal the zeal of the settlers in representing themselves as advocates of amelioration but also defenders of the institution of slavery.

Whether in the pages of their *Defence* or in the columns of the *Honduras Gazette*, the settlers produced a narrative of Belizean slavery as benign and wholesome. The power of this narrative can be seen from the way in which the narrative was appropriated by the later colonial government. In *The Defence*, citing the 1798 Battle of St. George’s Caye as evidence of the “contentment and good conditions of the slaves in this country,” the settlers described how in the face of the Spanish challenge, slaves “cheerfully and manfully fought for and defended their Masters’ lives and their Masters’ property.”¹⁵⁷ In 1898 at a Public Meeting preceding the centenary celebrations of the Battle of St. George’s Caye, colonial surgeon Charles Eyles used the same image and language of solidarity that the settlers had used in the *Defence*: “To them [slaves], death with fidelity was more honourable than life with falsity even though it was coupled with freedom. They demonstrated this by their act, for they stood SHOULDER TO SHOULDER with their masters to meet what seemed certain death.”¹⁵⁸ The Battle of St. George’s Caye and the image of solidarity between masters and slaves would become one of the origin myths of Belize, giving rise to the image on the Belizean coat of arms that in some versions depicts a white man and a black man under the shade of a tree and colored popular views of slavery in the settlement. Indeed, the view of Belizean

155. Paula E. Dumas, *Proslavery Britain: Fighting for Slavery in an Era of Abolition* (New York: Palgrave Macmillan, 2016), 57.

156. *Honduras Gazette*, August 12, 1826.

157. *The Defence*, 11.

158. Monrad Metzgen, *Shoulder to Shoulder, or the Battle of St. George’s Caye* (Belize: Belize Literary and Debating Club, 1928), 30–31. For views on the significance and ramifications of the 1898 centenary celebrations of St. George’s Caye and the public meeting that preceded it, see Anne S. Macpherson, “Imagining the Colonial Nation: Race, Gender, and Middle-Class Politics in Belize, 1888–1898,” in *Race and Nation in Modern Latin America*, Nancy Appelbaum, Anne S. Macpherson, and Karin Alejandra Roseblatt, eds. (Chapel Hill: University of North Carolina Press, 2003); and Rajeshwari Dutt, “Loyal Subjects at Empire’s Edge: Hispanics in the Vision of a Belizean Colonial Nation, 1882–1898,” *Hispanic American Historical Review* 99:1 (February 2019), 31–59.

slavery as benign permeated historical works on Belize up to the 1960s and 1970s, and persists to some extent even today.¹⁵⁹

CONCLUSION

Up to the early nineteenth century, Belize was a frontier outpost of the British empire, connected only tenuously to the broader legal regimes of the West Indies and the metropolitan government. This lack of imperial legal purview and the ambivalent nature of the settlement allowed for a great degree of autonomy for the local settler elite, who monopolized the land, labor, and systems of law and justice in Belize. The 1820s, which saw the concurrence of British amelioration and Central American emancipation, provided a singular moment that saw a great reversal in the location of sovereignty in Belize. As imperial officials such as Superintendent George Arthur and metropolitan bodies such as Bathurst's Commission on Legal Enquiry contested with local legal bodies and attempted to bring the settlement within the imperial legal purview, the settlers experienced an unprecedented challenge to their autonomy and sovereignty over slavery. The challenge came not just from imperial officials, however; slaves themselves through their petitions and acts of desertion also undermined the settlers' hold over them and the force of slavery as an institution. The settlers did not, however, go gently into the night. They responded with all means at their disposal, using force, diplomacy, and the print media. Ultimately, they crafted a narrative of Belizean slavery as benign to counter imperial criticisms, a narrative that proved to be surprisingly robust, coloring popular and official notions of Belizean slavery for generations.

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159. Restall, *Crossing to Safety*, 398 and 398 n54. Restall notes that works that highlighted the benign nature of slavery in Belize, such as D. A. G. Waddell's *British Honduras* (1961) and A. R. Gregg's *British Honduras* (1968), for instance, exemplified this trend in the 1960s and 1970s. D. A. G. Waddell, *British Honduras. A Historical and Contemporary Survey* (London: Oxford University Press, 1961); Algar Robert Gregg, *British Honduras* (London: Her Majesty's Stationery Office, 1968). We can see the persistence of this narrative today. For instance, Mavis Campbell's book *Becoming Belize* (2011) suggests that slaves in Belize had better working conditions than in other parts of the Caribbean and points to the absence of large-scale rebellions as proof of the benign nature of slavery in the settlement. Mavis C. Campbell, *Becoming Belize: A History of an Outpost of Empire Searching for Identity, 1528–1823* (Kingston: University of the West Indies Press, 2011), 283–314.