

Lauren Benton

(New York University)

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**“This Melancholy Labyrinth”: Magistrates and Order in the Early
Nineteenth-Century British Empire’**

The Author

Lauren Benton is Professor of History, Affiliate Professor of Law, and Dean of the Graduate School of Arts and Science at New York University. Benton received her Ph.D. in History and Anthropology from Johns Hopkins University, and her A.B. from Harvard University. Her research focuses on the comparative history of empires and the relation between imperial law and global order. Benton’s books include *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge, 2010) and *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge, 2002), which was awarded the World History Association Book Award and the James Willard Hurst Book Prize. A volume coedited with Richard Ross, *Legal Pluralism and Empires, 1500-1850*, is forthcoming in 2013 from NYU Press, and a book coauthored with Lisa Ford on law in the British empire in the early nineteenth century is in progress.

The Paper

Some historians have characterized the proliferation of rights talk in the late-eighteenth and early-nineteenth century Atlantic world as marking a profound shift in political thought and culture. Atlantic revolutions supposedly broadcast the idea of universally held individual rights, while abolitionism worked to convert compassion for slaves into international law doctrine by portraying slave traders as violators of universally held rights. Writing against this view, other scholars have portrayed anti-slavery movements as primarily aimed at extending the state’s purview over private jurisdictions and have emphasized continuities from *ancien régime* to post-revolutionary imperial law. This paper seeks to reconcile elements of both perspectives by analyzing rights talk in the context of concerns about intra-imperial and inter-imperial order in the early nineteenth century. The paper examines legal arguments of abolitionists, in particular those of James Stephen, and suggests that references to order (a stand-in for the common good) worked to group several strands of rights talk and to promote a particular vision of imperial constitutionalism. The paper also considers prominent cases and legal projects in the empire in the first decades of the nineteenth century to show the convergence of responses in calling for reform of the colonial magistracy.