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The Aftermath of Somerset v Stewart (1772)

A Study of Contemporary Journalism, Change in
Attitudes and the (De Facto) Status of English
Slavery

Bachelor's project in Lektorutdanning i Historie - Masterstudium (5-
årig)

Supervisor: John Kwadwo Osei-Tutu

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Abstract

This essay seeks to analyze the outcome of *Somerset v Stewart* (1772) regarding changes in outlook and philosophies on slavery in England. It will do so by looking at newspaper entries from the case's ruling in 1772 to the Slave Trade Act of 1806. The goal is to achieve a greater understanding of how the contemporaries reacted to the outcome of the case and to what degree the rising abolitionist movement can be credited to it. Britain was at this point the largest exporter of slaves in the world, yet they became the pioneer for abolition on a global scale following the Act of 1806. Thus, examining the change in the English outlook on slavery within this time frame raises interesting questions

The *introduction* contains a general discussion on the topic, followed by a subheading defining the case of *Somerset v Stewart*. It also contains an overview on the various sections of this essay. Following is the first main part of the essay: *Part 1: Methodology* describing the qualitative nature of the conducted research, as well as general concepts that needs to be taken into consideration. As such, it contains a part on *potential flaws and errors* of the essay.

The next section of the essay will evaluate historiographical aspects, as it analyzes what has been said among scholars on this topic. As there is little written on the outlooks and attitudes portrayed through journalism between the *Somerset* case and the Slave Trade Act, this section will rather discuss what scholars have said about the *Somerset* case and abolition, as well as some writings on contemporary news culture. This will tie into the third part, regarding historical context. This will look at the two decades leading up to the *Somerset* case in 1772. It will do so by looking at (i) English newspapers from 1750-1770, (ii) The Seven Years' War and its impact on British economy and slavery and (iii) the legal framework of slavery and slave trade.

The fourth and final part will consist of the research with evaluation of the findings made from looking through English newspapers. This will lead to a discussion on the abolition debate, and how the attitudes portrayed can be linked to the outcome of *Somerset v Stewart*. The discussion and conclusion are largely driven by the idea that the *Somerset* case created humanitarian reactions and had a major impact on the abolitionist movement, though there are other factors as well to the change in outlook on slavery amongst England's contemporaries.

Sammendrag

Dette essayet vil analysere utfallet av Somersett v Stewart (1772) ved å se på de holdningsendringer angående slaveri i England og den Britiske deltakelsen i den transatlantiske slavehandelen. For å gjøre dette vil teksten ta for seg nyhetsartikler og journalisme etter saken ble henlagt frem til The Slave Trade Act som tok sted i 1806. Målet er å oppnå en større forståelse av hvordan de som levde i England på denne tiden reagerte på Somersett saken, samt drøfte til hvilken grad den økende bevegelsen for avskaffelse av slaveri som tok fart på dette tidspunktet kan krediteres til denne saken fra 1772. På dette tidspunktet var Britene de største eksportørene av slaver i verden. Likevel endte de opp med å bli en pioner for avskaffelsen, spesielt i farvannet av 1806. Med dette i bakhodet skal essayet undersøke tankemønstrene og holdningene rundt de problemstillingene som oppstår.

Introduksjonen vil introdusere noen generelle spørsmål og drøftingspunkter som vil være sentrale igjennom teksten. Den følges av en underoverskrift hvor selve rettsaken fra 1772 forklares, for å skape en grunnleggende forståelse som er essensiell å ha med seg inn i dette essayet. Videre følger en metodedel som beskriver den kvalitative fremgangsmåten som er blitt benyttet i arbeidsprosessen bak skrivingen og hvilke elementer som må tas i betraktning.

Påfølgende kommer de historiografiske betraktningene som analyserer hva som er blitt sagt på dette feltet tidligere. Ettersom det er svært lite skrevet om hvordan journalisme portretterer disse problemstillingene vil dette essayet heller se på hva som er blitt sagt angående Somersett saken i forhold til slaveriavskaffelse, i tillegg til å inkludere noen tekster om nyhetskulturen på slutten av 1800-tallets England. Dette fører teksten naturlig inn i del tre som ser på historisk kontekst. Der er de to foreliggende tiårene i fokus med fokus på (i) Engelske nyhetsartikler fra 1750-1770, (ii) syvårs krigen og dens påvirkning på Britisk økonomi og slaveri, og (iii) de lovmessige rammene som omhandler slaveri og slaverihandel.

Den siste delen av teksten inneholder forskningsarbeidet og diskusjon rundt de funnene som er inkludert. Diskusjonen vil så bevege seg til avskaffelsesdebatten som tok sted under denne tiden ved å se på hvordan holdninger blir lagt frem i avisene og hvordan de kan linkes til Somersett saken. Diskusjonen og konklusjonen som kommer i etterkant vil i hovedsak dreie seg rundt en tolkning av at Somersett v Stewart skapte et nytt grunnlag for humanitære holdninger rundt slaveri og ende opp med å bli en katalysator for avskaffelsen, dog det er andre elementer som også driver holdningsendringene som sees i England på dette tidspunktet.

The aftermath of *Somerset v Stewart* (1772): a study of contemporary journalism, change in attitudes and the (de facto) status of English slavery.

by *Hans Martin Gribbestad*

Though Britain made a monumental step toward abolishing slavery within their borders following *Somerset v Stewart* in 1772, they continued to be the largest investor in the transatlantic slave trade into the 19th century.¹ English traders made a fortune selling sugar, rum and other goods brought in from the US through the well-known and established slave trading routes. Hence, the money spent by the English on these very goods were then used in acquiring new slaves to continue the triangular trade. While this was going on, England had a growing abolitionist movement within its border. The ruling of the *Somerset* case in 1772 fueled this movement, as its outcome was interpreted as outlawing slaving.² Scholars often view this ruling as a correlation with The Slave Trade Act of 1807. Keeping this in mind, this essay seeks to answer the following question: how does the contemporary outlook on slavery change in the years following *Somerset v Stewart*? This essay will seek to answer this by looking at newspaper coverage of slavery and the slave trade in the years following the case to the Slave Trade Act of 1807.

As abolitionist movements began to grow throughout the 19th century, many looked to England as a pioneer of anti-slavery, especially due to the fact that they had practically erased slavery within their borders before the start of the 19th century.³ In addition to this, England took an important step in the direction of abolishment as the blockade of Africa began with British warships patrolling the African coast following the Slave Trade Act of 1807, pressuring other nations to follow.⁴ Even though it would take many years before the abolition to take full global effect, these acts were recognized as the English making an important step in this direction. This image of England is nevertheless not without fault; slavery was still a divisive issue and debates were held on how to deal with its inhumane nature, as well as its commercial aspect. To what degree the *Somerset* case affected the course of abolition in England, as seen through contemporary English media, will be the center of this essay's attention.

The argument that England became the spearhead for legal change in regard to slavery makes the questions surrounding their economical involvement in the trade even more interesting. On one side, you have among the biggest economic contributors to the triangular trade, essential in keeping it as massive and efficient as it was. On the other

¹ According to estimates from EMORY Libraries & Information Technology's database on slave voyages, Great Britain were the biggest exporter of slaves throughout the 18th century up until the Slave Trade Act dismantled it. See; EMORY Libraries & Information Technology n.d.

² As will be discussed later, under *The Somerset Case* (page 5) and in greater depth during *Part 3: Historical Context* (page 12), this was not the case. The ruling merely stated that a slave could not be removed forcibly against his/her will. The case can be found the trial report of *Howell's State Trials* vol. 20. See Thomas B. Howell 1816: cols 1-6, 79-82.

³ Cotter 1994: 32. The ruling of *Somerset v Stewart* did not explicitly state that slavery was to be outlawed, though it were often mistaken for it. As Cotter refers to, a large portion of slaves residing in England were released due to the case's ruling. Hence, *Somerset v Stewart* made headway for the abolitionist movement within England and would serve as inspiration for other nations to follow.

⁴ Langley 1970: 80

you have the driving force and pioneer for abolition. Did the citizenship of England acknowledge their fundamental role in funding the trade, while at the same time pushing for abolition? Or did they simply not care? Looking through English newspapers from the period in question might give us some answers. What did they write about regarding the trade, the abolitionist movement and their country's general involvement with slavery in the years following the Somerset ruling? These are central questions that this essay will seek to answer.

The essay will follow a specific structure. The first part will describe the methodology used to answer the the questions that has been raised. The second part of this essay will look at the historiography of these topics, especially when it comes to scholars' thoughts on the outcome of the case of Somerset v Stewart. This leads into the third part that will consist of an examination of the historical context. Here, the essay will discuss the relevant framework of British society in the years leading up to Somerset v Stewart, including the legal outline of both common and commercial law. This will be limited to the two previous decades (1750 to 1770), as to understand British society and slavery prior to the Somerset case. Hence, the seven years' war (1756 - 1763) will be a part of that. The fourth part will include the conducted research, before ending with a discussion on these findings. Finally, this leads to the essay's conclusion in its fifth part. The goal of this essay is not to challenge established literature and historical understandings of these issues, but rather discuss and systemize the attitudes existing in late 18th and early beginning of 19th century England.

The Somerset Case

Somerset v Stewart (1772) was a defining case in the road to abolition, both within and outside of the British borders. The circumstance that led to the case started as a slave named James Somerset was forced on a boat headed to Jamaica and its plantations following an attempted escape. An anti-slavery campaigner named Granville Sharp were noticed, and came to aid as Somerset was put on trial.⁵ He pleaded for Somerset's right to a writ of habeas corpus, defined by the National Archives as "a writ ordering that a detained person be brought before a court or judge, at a specified time and place, in order to determine whether such detention is lawful."⁶ As this was a civil liberty, Lord Chief Justice James Mansfield granted it, and the case was set against Somerset's owner; Charles Stewart. The case ruled in favor of Somerset, stating that "no master ever was allowed here (England) to take a slave by force to be sold abroad because he deserted from his service".⁷ It also deemed the act of slavery in itself as "odious", though it did not legally condemn it.

The case itself only approached the question of whether slaves such as Somerset could forcibly be shipped back to colonies to work. So how did the case end up having such an impact on abolition in general, giving people the illusion of discharging the legal basis of slavery in England? One answer to this may be found in the following excerpt from the Somerset ruling, collected from The National Archives:

"The state of slavery is of such a nature, that it is incapable of being introduced on any reasons, moral or political, but only by positive law, which preserves its force long after the reasons, occasion, and time itself from whence it was created, is erased from memory. It is so odious, that nothing can be suffered to support it, but positive law. Whatever inconveniences, therefore, may follow from the

⁵ National Archives n.d.-a

⁶ National Archives n.d.-b

⁷ National Archives n.d.-a

decision, I cannot say this case is allowed or approved by the law of England".⁸

Manfield calls out slavery as morally and politically unreasonable and deems it as "odious". Even though the case's legal restrictions were quite narrow, it ended up being celebrated in popular culture as ending de jure slavery.⁹ As will be discussed in *Part 2: Historiography*, scholars generally agree on this being significant in the history of abolition.

These anti-slavery notions presented by Lord Mansfield were not the first amongst the English court's history. A couple of decades previous to the Somerset ruling, William Blackstone, assessor to the Chancellor's court, stated in *Commentaries on the Laws of England* that the "spirit of liberty is so deeply implanted in our constitution, and rooted even in our very soil, that a slave or a negro, the moment he lands in England, falls under the protection of the laws, and with regard to all natural rights becomes eo instante a freeman".¹⁰ Though these were later contradicted and did not affect the number of domestic slaves, it still gives us the idea that there existed ideas and processes of abolition within the contemporary English legal system. These ideas of liberty stated by Blackstone can also be found in the Somerset ruling, as well as in many of the abolitionist papers examined in this essay. Hence, the ideas of liberty and humanitarianism existed both before and after the Somerset case.

Understanding the Somerset ruling, and its aftermath is essential to understanding the British road to abolition. As this ruling has had important effects on slaveholding in England, though arguably through a misunderstanding of the actual ruling,¹¹ it is important to look at its content as well as how it was viewed by English media at that time. As will discuss further, one might argue the ruling made in the Somerset Case was aimed to remove slavery from England to satiate contemporary feelings of anti-slavery, while keeping slavery in the empire to preserve the economic benefits of slavery within the colonies.¹² Such interpretations have sparked debates among scholars, though few disagree on its importance on the growing abolitionist movement of the 19th century. The discussion of how historians have analyzed the outcome of Somerset v Stewart and its effect on the road to abolition will be examined further under *A look at secondary literature and existing research*.

Part 1: Methodology

To gain an understanding of the English mentality surrounding slavery, abolition, and the Somerset case, one must assess what was being written about it at the time. This essay seeks to analyze the contemporary attitudes and norms of the English citizenry and will do so primarily through examining existing writings from English newspapers. This will form the basis of the research. Furthermore, to evaluate the findings, the essay will compare these to a variety of historiographical understandings of the issue found in secondary literature. These will function as a supplement to further enhance the discussion of the findings from the late 18th/early 19th century English newspapers. By doing so, the essay's perspective will widen on the question at hand and achieve a more nuanced look at how English society talked about these issues at the time.

⁸ Howell 1816: cols 1-6, 79-82.

⁹ Oldham 2008

¹⁰ Oldham 2008

¹¹ For more detailed discussion on this, see footnote nr. 3 on page 4 and *Part 2: Historiography* on page 9.

¹² Hulsebosch 2006: 648

As this essay will discuss the (de facto) impact of the Somerset case in the decades following its resolution, it will be unavoidable to look at the legal framework of the time in question. Hence, looking at the (de jure) outcome of the Somerset case and official documents defining English law will create a framework for understanding how England operates regarding slavery. However, examining legal documentation and laws will not be the focal point of the research, though it will serve as a supplement in which the findings may be understood and evaluated. Instead, evaluating the content and language used in the selected excerpts and articles will be at the center of attention, as the goal of this article is to critically assess the attitudes and (de facto) status in England during the turn to the 19th century.

The research done in this essay is of a qualitative nature. It would be interesting to make it a broader, quantitative approach where one could measure the amounts of articles written on the topic, the points of view and displayed attitudes in the decades following Somerset. Doing so would give us more reliable insight as to what attitudes were displayed through the various media outlets and give a larger basis for discussing the changing attitudes and to what degree the Somerset case actually fueled an abolitionist movement. Using a qualitative approach, this essay narrows its scope to a limited choice of news articles and how they serve as examples of the contemporary attitudes surrounding the issue.¹³ Limiting the scope allows for assessing these excerpts deeper and setting them into a broader perspective. Using this method, this essay seek to answer the question raised in the introduction: how may the existing perspectives and mindsets during the transition to the 19th century, seen and categorized by examining contemporary media outlets, be linked to the outcome of the Somerset case?

The primary sources have for the most part been collected through Burney Newspaper Collection, consisting of many news publishers of the 17th to early 19th century. This is done to give as much nuance as possible in the qualitative approach. By looking at a selection of different newspapers, the essay lessens the probability of sticking to one political or biased viewpoint. This is also why this essay includes the likes of opinion pieces in its research. Though these give insight into the perspectives of individuals, one might assume that in order to be posted in the papers they would have to have some degree of support in the community. Hence, one must treat these as the likes of opinion pieces and use them as a basis of discussion of the possibility that there exist corresponding attitudes among parts of the English citizenry. These opinion pieces were also a part of the late 18th century newspaper idea of contributing to political debates, as well as being intended as entertaining and useful.¹⁴

As the topic of the essay is to evaluate the impact of the Somerset case on how the English viewed the topic of slavery, the approaches to the source material is important. To gain an understanding of the development, the essay will have to assess news articles from both the time span of 1750-1772 (pre-Somerset) and 1773-1806 (post-Somerset). This creates a basis in which comparisons can be made. To avoid exclusion of content, the keywords used in collecting data are as general as possible. For this reason, various words used during these periods to describe a slave or the trade itself are used. These include "slave", "negro", "black", "commodity" and "slave trade". In addition, contemporary words related to the continent of Africa were used, such as: "Africa", "West-Africa", "colonies" and "negroland" - an archaic term used to describe

¹³ For a more detailed discussion on the qualitative nature of this essay, see *Potential flaws and errors* on page 8.

¹⁴ Gardner 2014: 292

West-African areas yet to be fully explored.¹⁵ Terms related to *abolition* (“abolition”, “abolitionist”, “humanitarian” etc.) were also used actively in the research.

Inclusion of different newspapers is also important to avoid political, sociocultural, and/or local bias that affects the contents of the papers. Newspapers, as well as other media outlets, are subject to bias. As Victoria Gardner argues in *Reading All About It: Eighteenth-Century News Culture*, reputation was a big part of the news culture of the time that “constituted social capital and facilitated trust” that were essential to them being funded for print.¹⁶ While some provincial papers based their pride on making weekly publications with accurate news, papers such as those in London would often be “forced to issue daily addenda and retractions”.¹⁷ This had a lot to do with the smaller amounts of news produced in provincial England, contrasted by the larger quantities created in the larger cities such as London. These are just some of the factors that needs to be kept in mind while analyzing the content provided by English papers.

Potential flaws and errors

This essay bases its research on a few selected excerpts from newspapers written during the period in question. Therefore, they give insight to a limited set of contemporary thoughts and attitudes and serves as examples of what was considered worthy to be included in the papers. As they are included, one can assume that these opinions, reports and viewpoints reflect the interest of its contemporary reader base. These assumptions are also based on the legal changes happening at the time, as the process moving from the Somerset case to the Slave Trade Act of 1807 is ongoing.¹⁸ Nonetheless, this essay does not say anything on the distribution of of attitudes within the English citizenry, nor can the validity of its findings be fully confirmed. This essay will rather use its chosen excerpts, look through them with the gathered knowledge of the historiography and historical context regarding its topic, and use all of this as a premise in which educated assumptions can be made.

As the research conducted in this essay is qualitative, there are certain disadvantages and flaws that follows. The data collected is highly subjective and liable to personal perspectives. Though efforts are made to back these choices up with other sources, one cannot ensure these excerpts to be neutral, nor the best examples to illustrate the point of this essay. Researcher influence is something that must always be considered with these kinds of essays. Also, most of the articles processed as part of the research are not included to avoid data overload. This is due to the qualitative nature of describing each included excerpt in some detail. Hence, information that shape the arguments of the essay is lost, which might result in flaws of argumentation and lack of oversight. Lastly, these results cannot be proven statistically representable. Instead, they must be interpreted as cases illustrating and arguing the theme of this essay.

¹⁵ See Ainsworth 1857: 348-359 as an example of how “Negroland” was depicted in the 19th century.

¹⁶ Gardner 2014: 295

¹⁷ Gardner 2014: 295

¹⁸ For further discussions on the change the legal basis of slavery, see *Common law and commercial law; Slavery in the British legal system before 1772* on page 15. For further reading, see Shillam 2012: 591-609.

Part 2: Historiography

There are many articles that discuss and analyze the outcome of the Somerset case and the abolitionist movement that escalated in the following decades. However, there seem to be lack of research and written material on the topic of the difference in de facto and de jure conditions within England during this period on the topics of slavery and slave trade. Singling out any specific reason for this would be difficult. The research conducted for this essay found that existing literature, in most cases, seem to focus on the growing abolitionist movement and how they partook in the change that would come. Therefore, this part of the essay will look to see what historians have said about the impact and outcome of Somerset. Even though these say little about attitudes being portrayed through the English newspapers and other media outlets, they help form a basis of understanding how the Somerset case changed the political landscape of England.

One of the more important things to note in regard to the Somerset case is how it ended up as a catalyst for abolitionist movements both within and outside of the English border. James Oldham summarizes this in *The New Oxford Companion to Law*, that "in popular culture, the idea took hold that the case had ended slavery in England. Strictly speaking, however, the legal effect of the decision was quite narrow".¹⁹ As will be illustrated in the included excerpts during *Part 4: The Research and its Findings*, abolitionist attitudes were present in much of contemporary journalism. There even seems to be an agreement between scholars that the Somerset ruling was a catalyst for abolition and anti-slavery legislations and movements around the world. As historians and scholars of law seem to confide in this theory, one may apply some legitimacy to it.

As *The National Archives* put it, the Somerset ruling merely stated that "no slave could be forcibly removed from Britain and sold into slavery", and that it was a common misunderstanding that led to slaves being emancipated in Britain.²⁰ No matter what theories one might confide in when it comes to the Somerset ruling and its wording, the contemporary understanding of the case had major implications on how slavery and the slave trade were viewed in the decades that followed. One might arrive to that conclusion in two ways following the research done in this essay. First, the findings in the selected excerpts suggest that there is an ongoing discussion surrounding the ethical and humanitarian aspects to the slave trade. Second, the secondary literature that is discussed in this part suggest that historians support the hypothesis of the Somerset ruling having a defining impact on the progression of abolition, thereby changing attitudes toward slavery as well.

Historical analysis and understanding of the Somerset case

An interesting discussion on the case's outcome can be found in *Somerset's Case and Its Antecedents in Imperial Perspective* (Cleve, 2006). As the title suggest, this article includes the effect that the Somerset ruling eventually had on its colonies and beyond. As van Cleve argues, even though "Mansfield did not intend to emancipate slaves in England [...], [the] decision deliberately transformed both the law of slavery in England and the law governing slavery in England's colonies in subtle but powerful ways."²¹ It started the downfall of Slavery by creating a basis for new thoughts and philosophies to emerge. As van Cleve suggests, the case "represented the clear emergence of a new

¹⁹ Oldham 2008

²⁰ National Archives n.d.-a

²¹ van Cleve 2006: 603

idea of freedom in English law".²² These ideas and laws support the basis of the emergence of humanitarian arguments seen in the excerpts of *Part 4*, as the emerging debate clearly correlates with these new ideas of freedom that van Cleve discusses.

An interesting discussion, that can be found in articles such as van Cleve, is that of why England became the pioneer of these new ideas of freedom and anti-slavery. As van Cleve argues, there existed a culture of "near slavery" with "slavish servants" in the two centuries prior to the Somerset case.²³ These conditions meant that the slaves were neither emancipated nor under the extreme status of a chattel slave,²⁴ though they were still under involuntary servitude. During this time, Englishmen had a clear notion of liberty and freedom, and of England as a free jurisdiction. Still, they differentiated between English and non-English status, especially when it came to Africans and blacks in general.²⁵ Even though England at the time did have slaves, their practice was less restrictive to them than that of other slaveholding countries, such as America. This, along with their pre-existing attitude of a free country with a strong sense of liberty might suggest that they were more susceptible to the moral and legal change that would follow the Somerset case.

In an review article that comments on van Cleve's, Daniel J. Hulsebosch argues against setting a correlation between intent and consequence when it comes to the case's ruling, though he agrees with that "the abolitionists embraced the decision".²⁶ Hulsebosch also argues that "the decision left the institution of colonial slavery almost untouched while at the same time insulating England from chattel slavery".²⁷ Furthermore, Hulsebosch discusses whether the Somerset case was intentionally left ambiguous to continue colonial slavery for its economic benefits. Even so, the article acknowledges the impact the case had on the upcoming abolitionist movements and credits the underlying importance of liberty in English law and mentality prior to the Somerset ruling. These factors seem to be important to many of the historians that have written on this topic. Thus, one might assume that the citizens of England were susceptible to a change in mindset concerning the issue of slavery and slave trade.

No matter how one might view the intentions behind the Somerset case, it's importance and impact is undeniable. Research conducted by William R. Cotter, which looked at documents and reports of legal cases in England in the years following Somerset, found that judges "consistently upheld the rights of former slaves" and that there were "very few cases of attempts to treat blacks as slaves in England after 1772".²⁸ Cotter also suggests that both contemporary abolitionists and anti-abolitionists that stood close to the case "recognized that *Somerset* ended de jure slavery in England".²⁹ Even if the case itself did not actually change the de jure status of slavery, it seems to have made such an impact that people believed it to have done so, hence changing England's (de facto) status of slavery. This correlates with the new thoughts and ideas of freedom discussed by van Cleve and correlates with the humanitarian and ethical discussions that will be seen recurring in journalism following the Somerset ruling.

²² van Cleve 2006: 603

²³ van Cleve 2006: 607 ff.

²⁴ Chattel slaves were slaves that were deemed as property and could be treated in any way seemed fit by the slaver with little to no repercussions. This aligns with the definition proposed by Higginbotham 1978: 53-58.

²⁵ van Cleve 2006: 603-604

²⁶ Hulsebosch 2006: 648

²⁷ Hulsebosch 2006: 648

²⁸ Cotter 1994: 34

²⁹ Cotter 1994: 34

Considerations to the analysis of newspapers after the Somerset trial

As stated in *Part 1: Methodology*, there are potential biases attached to the different newspapers. One such bias can be how they view slaves and blacks in general based on local differences in exposure to slaves or African people. This is due to the fact of the vast differences between the larger cities and the periphery. In *'In a Country of Liberty?': Slavery, Villeinage and the Making of Whiteness in the Somerset Case (1772)* by Dana Rabin, the effects of having a large quantity of black people in larger cities in regard to attitudes are discussed. As an example, that their capital held 10,000 to 15,000 blacks³⁰ during the 18th century while most of the smaller towns held close to none affected their views on the matter. In the larger cities, such as London and Bristol, there was also a lack of segregation as "blacks and whites lived in close proximity, socialized together and intermarried."³¹ As will be seen in the research of *Part 4*, papers from the larger cities could often have a tendency to be more liberal in their views. Knowing the ethnic diversity of the different cities might help us understand why some papers approach the issues of slavery and slave trade differently.

What about the economical aspect? Seeing how fundamental the slave trade was to the British economy, it ends up being central to the historical understanding of the road to abolition and the daily lives of the contemporaries. The sugar trade that came as a part of the slave trade gives us a glimpse of the impact it all had on British economy and life in England. In *SWEET BUSINESS: QUANTIFYING THE VALUE ADDED IN THE BRITISH COLONIAL SUGAR TRADE IN THE 18TH CENTURY*, Klas Rönnbäck states that "the colonial sugar trade's share of GDP constituted a most substantial share of British economic activity in the late 18th century."³² In addition, it created "employment opportunities for various people working in all the sectors involved in the sugar commodity chain".³³ As will be discussed in depth during the last parts of this essay, one can speculate that the lack of focus on the economic factors to this equation from the abolitionists and anti-slavery articles could originate from an understanding of the integral part the slave trade played in their economy and GDP.

A common theme among these secondary sources is their agreement on how the Somerset ruling affected the contemporary anti-slavery movement. Even in the articles of van Cleve and Hulsebosch that disagreed on the correlation between intent and consequence of the case, did they agree on this. Taking these secondary sources, as well as the findings of this essay's research into account, one might establish that: (i) the outcome of Somerset inspired the contemporary abolitionist movement, (ii) it had global consequences, regardless of the intentions behind the case and (iii) it was, and still is, a case of controversy. Most of these sources also agree on the importance of the English idea of liberty, and how that would add fuel to the debate. The key differences to these sources however, seem to be connected to the intentions of the case and the discussion of whether it was a move to insure the capitalist interests of Britain in regards to the slave trade, while appealing to the views on liberty and abolition present during the latter half of the 18th century.

³⁰ Rabin 2011: 7

³¹ Rabin 2011: 7

³² Rönnbäck 2014: 235

³³ Rönnbäck 2014: 235

Part 3: Historical Context

This part of the essay will create a basis for comparison and assessment to the findings of *Part 4*. This will mainly be done in three ways. (i) It aims to categorize some of the general trends found in newspaper excerpts spanning from 1750 to 1770. Doing so will provide an historical context in which the findings from the excerpts ranging from 1772 to 1806 can be understood, as well as creating a fundament for the discussion of a change in the (de facto) status of slavery and contemporary attitudes of the English citizenry. (ii) Further, this section will look at the situation Britain is in during this timeframe. Hence, the seven years' war and its focus on the economic aspects of the trade will be crucial to understanding the historical context. (iii) Lastly, this part will set this era of slavery into a legal context by looking at common and commercial law. Furthermore, this part also draws on the ideas already included from *Considerations to the analysis of newspapers after the Somerset trial*;³⁴ the difference in how English cities view slaves differently based on the amount present (Rabin 2011), the existing English concepts of "near slavery" and liberty (van Cleve 2008) and the trades impact on British economy and daily life (as illustrated by Rönnbäck (2014)).

A look into English newspapers from the 1750s to 1770

There seems to be a split in how English newspapers of the time view slavery, depending on whether the actual case regards English slaves or those subject to the transatlantic trade. The difference is apparent in that the slaves residing in England are described by human qualities, while those being sold to plantations as part of the transatlantic trade are treated as a part of the trade's economical transactions. Hence, these newspapers seem to operate within the world presented by van Cleve (2008), where English slaves are viewed differently as part of the English mindset of liberty. As will be discuss in the analysis of the research in *Part 4*, the Somerset case seem to have helped extend this more humane vision of the English slaves to apply beyond the English borders. For further evaluation, an overview of preexisting attitudes from newspaper prior to the case of *Somerset v Stewart* is needed.

In the *Penny London Post or The Morning Advertiser* from Apr. 27, 1763, the story of a slave crushing a local long-distance run in Yarmouth made it to the news. The man pushed the course record from nine and a half hours down to nine, even though "he ran in the Heat of the day".³⁵ Though this man is not referred to as anything else than "one Driver & Butcher's Slave", he still got his own little segment in this paper. Though this folksy, nonchalant piece does not say anything about slavery itself, it grants the modern-day reader insight into the contemporary mindset to the *Penny London Post* and its readers. This slave's feat of running the course on record time, even performing it "with ease", was praised as his own act. Hence, this man was acknowledged for his skills and the paper decided to include this story in their pages. For this to be printed, there would have to be an interest for such a story among its buyers. Consequently, this serves as an illustration of English slaves being valued by humane attributes.

Another article worth mentioning, regarding British slaves, is an entry in *Public Advertiser* from Apr. 27, 1763: "Heads of a Plan just Published, for improving the Trade at Senegal".³⁶ As the British involvement in West-Africa had rapidly grown from the

³⁴ See page 11 of this essay

³⁵ Penny London Post or The Morning Advertiser 1749, July 3 - July 5.

³⁶ Public Advertiser 1763, Apr. 27.

1660s, it had now reached its peak in the 1760s as the largest supplier of slaves to America.³⁷ The Brits built multiple stations along the Senegal river, as the river was an efficient way of transporting slaves. The article from *Public Advertiser* discusses how to make the situation on one of these stations, a fort at the previously French colony of Saint Louis, into a profitable and well-functioning industry. The article argues that the way slaves are treated in England, much in the same way as seen with Cleve's definition of "slavish servants"³⁸, yields in greater efficiency and better results. The *Public Advertiser* uses Pennsylvania as an example for this, "where a Black is a Slave only in its name, as he has the same Benefit from the Laws of the country, as his Master".³⁹

It is apparent that there exists an idea that slaves should have some degree personal freedom in correlation with existing law. The *Public Advertiser* continues its entry on slaves being more profitable by praising their contribution to the seven years' war: "The free Black Slaves employed in the Royal Navy during the [seven years'] War, were in general not Inferior to the English Sailors in Skill and Bravery".⁴⁰ The article also points to London, where there are "servants" instead of "slaves", and that the forts of "St. Lewis" should benefit from the same approach, as "Slavery totally destroys Industry".⁴¹ What is interesting about this excerpt is that it operates within a gray area in the middle of both anti-slavery and pro-slavery. The phrasing of a "free black slave" illustrates this point, as they are to have more liberal reigns than that of other slaves, but under specified operating conditions. Again, this seems to correlate with the notions of Cleve's "slavish servant" and "near slavery".

The entries from the *Public Advertiser* and *Penny London Post or The Morning Advertiser* from 1763 gives us sense of a foundation in which abolitionist and anti-slavery ideas may rise from. Nonetheless, news articles from the period in question generally aim their attention to the economical aspect of the slave trade. This was also the message from the *Public Advertiser's* entry (1763), in which a more liberal state of slavery was to be implemented because of the industrial benefits of it, as had been seen in London. The other excerpts that will be examined henceforth will portray this focus on economic profit that generally defined the slave trade. The slave trade as a form of business in which different countries competed for their parts of the share was an integral part of journalism during this period. As a part of that discussion, the moral aspects of the slave trade lose its ground to that of economic profit.

Something that needs to be kept in mind looking at the timeframe of the 1750s to the 1770, is the Seven Years' War (1756-1763). This war, largely based on conflicts of interest between the great powers of Europe, had major implications on the Atlantic trade and the interest of West-African colonies central to the slave trade. It affected the trade between these involved nations and made the competition fiercer. This can be seen in an entry from *Whitehall Evening Post* from February 3, to February 6, 1759. This part of the paper discusses some correspondence between officials involved in the trade and the British settlements in along the Senegal river. It raises the concern of the French monopolization of slave and gum trade in the area, as "[the French] industriously hinder all Nations from reaching their settlements, and therefore buy Slaves [...] worth about Thirty Shillings English Money, and sell them again in two or three Months Time to

³⁷ Wikle and Lightfoot 2014: 15

³⁸ van Cleve 2006: 607ff.

³⁹ *Public Advertiser* 1763, Apr. 27.

⁴⁰ *Public Advertiser* 1763, Apr. 27.

⁴¹ *Public Advertiser* 1763, Apr. 27.

American colonies for Thirty or Fourty Pounds".⁴² The strict business and economy related angle, such as seen in this excerpt from *Whitehall Evening Post*, is apparent in in papers of this time.

The slave trade was vital to the British economy of the 18th century, as can be seen in the vast quantity of slaves operated by them.⁴³ Its importance is not something that historians have identified later on; the contemporaries were well aware of this fact themselves. This can be seen in their worry over the effect the war could have on the trade, such as the entry seen in *Whitehall Evening Post* (1759). The effect of the war on strengthening the commercial aspect of Slavery, can also be seen in an entry from the *Public Advertiser* from Jan. 9, 1761. It includes a passage on the Brits taking over Saint Lucia (or Martinico in the excerpt), and how it will benefit their sugar trade. By securing this strategic point, and with their "Successes in America and the West-Indies", the paper notes that their trade is both "greatly increased" and "secured".⁴⁴ As can be seen, the years leading up to the Somerset case can be defined by the course of the seven years' war, as entries with this kind of economic profit is common.

The Seven Years' War and the British economy's impact on late 18th century slavery

The Seven Years' War is arguably one of the most important factors in the pre-Somerset era in relation to its impact on the transatlantic trade, British GDP and the contemporary attitudes towards slavery. It is also important to note the increasing significance of British merchants during this time. They had been of significance since the trade took form, though they arguably grew more valuable in the wake of war as voyages became much more dangerous yet needed. War creates opportunity for profit, and the Seven Years' War was no different. As certain goods became scarcer due to the conflict influencing the possibility of commencing in trade, the still high demands made for greater profit for those who dared to venture this dangerous trade. The war ended up decentralizing the trade, as privateering became more and more common.⁴⁵ Hence, a new workforce and economy grew in the latter half of the 18th century, as privateers increased their efforts in the commerce.

Though this essay will not dissect the privateering of the British slave trade, the outcome it had on British economy must be acknowledged. As Britain furthered their efforts in the slave trade to continue their profit despite the war, it becomes apparent how integral transatlantic slavery was to Britain's economy and how that shaped English views on the matter of slavery. The institution of slavery was first and foremost a business transaction. In *Risk, Networks and Privateering in Liverpool During the Seven Years' War, 1756-1763* (2018), Sheryllyne Haggerty illustrates how a new society of trade and financial thinking became active in Liverpool during the years of the war. She outlines the interconnections that became between "men of war" and merchants, as new networks were made to maximize profits of the war and the trade.⁴⁶ Therefore, these traders were not only making profit of the war, they were also integral in helping the war efforts and in creating webs of network. This made them valuable and established the importance of the slave trade within the contemporary British society and economy.

⁴² Whitehall Evening Post 1759, February 3 - February 6

⁴³ See estimates from EMORY Libraries & Information Technology (n.d.)

⁴⁴ Public Advertiser 1761, Jan. 9

⁴⁵ Haggerty 2018: 32

⁴⁶ Haggerty 2018: 49

Common law and commercial law; Slavery in the British legal system before 1772

By now, this essay has established the concept of liberty that were imperative to the English image of the 18th century. Such can be seen in Cleves discussion of "slavish servants" and "near slavery". Hence, the definition of slaves as seen in other parts of the world, such as America or even in most of the British colonies, is different from that of the English. Looking back, the closest thing to a legal condition of slavery in England would be the villein, though the feudal system in which they were a part of was by this point long gone.⁴⁷ Discussions of the legal basis of slavery were being held within the courts of England as early as the 17th century. By the end of the century, in the case of *Chamberlain v Harvey*, Chief Justice Sir John Holt stated that "[...] by the laws of England one man cannot have *absolute property in the person* of another man", though having a "servant" still applied.⁴⁸ Cases such as these created uncertainty on the legal basis of the slave trade that was rapidly growing. This question of the legal relationship between slave and master escalated into the *Yorke/Talbot Opinion* of 1729.

The *Yorke/Talbot Opinion* sought to gain clarification to the status of African slaves brought to England.⁴⁹ According to *The National Archives*, the *Yorke-Talbot* ruling stated that:

"We are of the opinion, that a slave, by coming from the West Indies, either with or without his master, to Great Britain or Ireland, doth not become free; and that his master's property or right in him is not thereby determined or varied; and baptism doth not bestow freedom on him, nor make any alteration to his temporal condition in these kingdoms. We are also of opinion, that the master may legally compel him to return to the plantations"⁵⁰

As of the 14th of January (1729), the uncertainty surrounding master and slave in the trade was somewhat clarified. Still, the idea of liberty was essential to the English, and the discussions of the legal status of slaves would not cease. As discussed in *The Somerset Case* (page 5), Blackstone argued against "pure and proper slavery" with "absolute and unlimited power" in the 1760s.⁵¹

Through the 18th century, slavery fell under English commercial law, as it did not fit under the regulations of common law.⁵² Hence, African slaves under transit had the same status as commodities with "no claim to freedom and no legal personality at all", where laws regulated aspects such as who had the liability of slaves dying during transport.⁵³ In other words, there existed a sort of paradox in how slaves were viewed by the English. On one hand, they had the commercial slaves, the commodities of the slave trade under commercial and merchant law. On the other hand, they had the "slavish servants" of their own nation, with some notion of liberty connected to them. It may seem that there was a conflict of interest in England, as they wanted to maintain the commercial profit of the transatlantic trade, while staying true to their idea of liberty and their Christian values. The next part of this essay will seek to examine how the British reacted to these blurred lines being challenged by the *Somerset* ruling and the growing abolitionist movement.

⁴⁷ Shillam 2012: 595

⁴⁸ Dziobon 2012: 170

⁴⁹ Dziobon 2012: 170

⁵⁰ The National Archives n.d.-a

⁵¹ Shillam 2012: 595-596

⁵² Shillam 2012: 596

⁵³ Shillam 2012: 596

Part 4: The Research and its Findings

This part of the essay will address the contents from various newspapers from the period following the Somerset trial until the introduction of the Slave Trade Act in 1807. These findings will be the premise for discussing the impact the Somerset case had on English attitudes toward slavery. It is divided into three sections. The first section assesses some excerpts with abolitionist angles. The second section will then proceed to introduce the opposite side of the debate with illustrations of anti-abolitionist attitudes presented through contemporary journalism. The third and final section will look at both opposing factions to discuss the ongoing debate that escalated in within this timeframe. Ultimately, this will create the bedrock to which analysis of the impact of Somerset v Stewart on the English citizenry and the (de facto) status of British slavery can be made.

Rise in abolitionist attitudes; excerpts from newspapers, 1772 to 1807

How did the English citizenry express themselves when it came to slavery in the years following the Somerset case? This question is quite involved but studying news articles from the specified timeframe with historiographical and contextual knowledge might give us some clues. In an article from *The Times* posted February 14, 1788, there is an entry under *Political Reflections* made by "the Chancellor, Masters, and Scholars of the University of Cambridge" discussing the British involvement in the slave trade in regards to the parliament making an application attempting to suppress the trade.⁵⁴ Among their reflections, they refer to what they mean are core values to their country such as liberty, that opposes those of the trade. "THE SLAVE TRADE and its abolition are new, to the honor of this country, the favorite topics - the subject, though confined, must ever be interesting in a land sacred to LIBERTY".⁵⁵ They also refer to the practice of slavery as a "tyranny" and that the abolitionist movement needs to start with a "reform of the human heart".⁵⁶

The article from February 14, 1788 appeals to ideals of humanitarianism and liberalism. It is unproblematic to draw parallels to the ruling of the Somerset case and Mansfield's wording of the slave trade as "odious".⁵⁷ Both of these sources confirm that there exists some degree of abolitionist attitudes in England during the last quarter of the 18th century. Passing into the next century, *The Times* examines these ideas further in an entry posted May 31, 1804. The passage summarizes procedures made in the House of Commons the day before, discussing the slave trade among other topics. The debate concluded with an agreement to continue the gradual abolition of slavery with goal of creating a resolution to terminate the trade "within four years".⁵⁸ Once again, strong language is being used in opposition to the trade stating that the the agreement was made on the basis of "the House being convinced of the enormous and detestable atrocities which were obtained under this trade".⁵⁹ Furthermore, the article refers to the African slave trade as "the greatest of all sublunary evils",⁶⁰ suggesting an escalation to the opposition of the trade.

⁵⁴ The Times 1788, Feb. 14

⁵⁵ The Times 1788, Feb. 14

⁵⁶ The Times 1788, Feb. 14

⁵⁷ Howell 1816: cols 1-6, 79-82.

⁵⁸ Great Britain Parliament 1814: 439-476

⁵⁹ The Times 1804, May 31

⁶⁰ The Times 1804, May 31

One of the longer discussions on the abolitionist aspects found in this research is an entry in *Felix Farley's Bristol Journal* from July 21, 1787. The article is a reflection in the slave trade, with the angle of the "probable consequences of its abolition" and "the inhumane and injustice of the Negroe Trade".⁶¹ One of the more interesting elements to this article, is its inclusion of the legal changes it has brought to the colonies under their control. The entry declares that "Before, the slave-trade commenced, criminals were punished in Africa, much the same manner as those among other nations [...] but since the introduction of the trade, *all* crimes have been punished by slavery".⁶² As part of this reasoning, *Felix Farley's Bristol Journal* acknowledges Africa consists of functioning societies, where the colonies have upset this order by introducing slavery. In addition, the fact that the article compares Africa as equal to that of "other nations" (indicating European, slaveholding countries), even just in this aspect, shows radical change from the pre-Somerset articles.

Examining the entry from *Felix Farley's Bristol Journal* further, we reasons that "[the slave trade] is profitable but to a few; it is runious[(ruinous)] to some, and it is hazardous at best".⁶³ Thus, it goes against the commercial argument of the anti-abolitionists, by arguing that the trade's profit is outweighed by the negative implications to the individual slaves, making this transaction "hazardous at best". This article stands out as a part of the emerging abolitionist movement, as it includes the following passage: "The annual exportation from Africa, consists of about *one hundred thousand* people".⁶⁴ This is one of the few entries found in which African slaves are referred to as "people". It seemingly becomes more common to do so by the transition to the 19th century, though even abolitionists usually tend to refer to them by other names (such as "slave" or "black"). Ultimately, this can be seen in correlation to the ethical and humanitarian focus increasing in the post-Somerset years.

The conclusion of the *Felix Farley's Bristol Journal* article furthers these arguments by stating "it may be added that if the abolition of the slave trade takes place with the English alone, *many thousand lives will be annually saved*".⁶⁵ This is a powerful humanitarian statement, dissolving the commercial aspect in the favor of a life. Secondly, it gives the emancipated their own value, furthering their argument on the slave trade having negative impact on their existing societies. Lastly, it must be noted that this concluding remark also regard the loss of the seamen's lives due to the dangers involved in these long expeditions. Hence, it brings the debate to the ethical level with discussing the value of life both regarding the traders and the slaves. These "observations" made by *Felix Farley's Bristol Journal* function as illustrations of abolitionist argumentation that became more frequent in journalism leading up to the Slave Trade Act of 1807.

⁶¹ Felix Farley's Bristol Journal 1787, July 21

⁶² Felix Farley's Bristol Journal 1787, July 21

⁶³ Felix Farley's Bristol Journal 1787, July 21

⁶⁴ Felix Farley's Bristol Journal 1787, July 21

⁶⁵ Felix Farley's Bristol Journal 1787, July 21

The anti-abolition argument and the commercial aspect

Opinion pieces are good alternative sources to discern the ongoing debate. One abolitionist opinion piece can be found in *The Public Advertiser* from September 23, 1784 titled *Remarks on the Slavery of Negroes*. Among its remarks are "whoever has impartially considered the nature of the slave trade [...] can scarcely avoid condemning it, as fraught with violence shocking to human nature".⁶⁶ On the other hand, entries consisting of anti-abolitionist opinions are common as well. One such entry might be found in *The Diary or Woodfall's Register* from April 13, 1789; *From DIART. To CIVIS, In Answer to his Letter of Yesterday on the Abolition of the Slave Trade*. This entry remarks the "liberal motives" of abolitionists as somewhat naive, not taking the commercial interests nor the benefits the slaver brings the slave into account.⁶⁷ As the author of this entry further notes; "Are slaves more useful by being humbled to the condition of the brutes [(the Africans)], than they would be, if suffered to enjoy the privileges of men?".⁶⁸ This entry serves as one example of remaining pro-slavery attitudes and what later historians have dubbed *the white man's burden* still is present among the populus of England.

The same attitude regarding the white man's burden and the benefits of being a slave can be seen in an article in *The Sun* from May 23, 1793, *Parliamentary Proceedings. House of Lords. Wednesday, May 22. Slave Trade*. It goes further that the entry in *Woodfall's Register* (1789) by stating that the slaves are happy with their status under the Empire, as when Admiral Affleck answers to a question regarding the happiness of slaves in the West Indies, describing that "young slaves run out and embrace the knees of their Masters, calling them *Pappa*".⁶⁹ The article goes further stating that slaves are necessary in cultivating certain areas such as the Island of Jamaica, and that the abolition would bring "the utter ruin of the island" if it were to happen.⁷⁰ Arguments of the necessity of slaves are common among the contemporary anti-abolitionists as an addition to the economic argument. This goes to show that the ruling of the *Somerset v Stewart* did not fully tip the scale.

Searching through newspaper archives one might find many different approaches to how entries defend their political view. As many of the abolitionist articles use humanitarian arguments to oppose the trade, the anti-abolitionist articles seem to somehow shift this angle in their favour by promoting the benefits granted to the slaves. Again, this fits into the modern idea of the white man's burden. Another example of this can be found in an article by *Whitehall Evening Post* from May 27 - May 29, 1788, that includes a statement made from a trader in a House hearing. The arguments made by this trader suits well as an example of how these traders themselves viewed the situation. A petition sent in by traders and merchants describe their despair regarding the ongoing debate, as their trade has "been carried on for more than two hundred year, without any idea of it being contrary to the laws of the land, or of humanity".⁷¹ Traders and merchants were an integral part of the anti-abolitionist movement, which is understandable taken their investment in the trade and their increasing role following the Seven Years' War.⁷²

⁶⁶ Public Advertiser 1784, Sept. 23

⁶⁷ The Diary or Woodfall's Register 1789, April 13.

⁶⁸ The Diary or Woodfall's Register 1789, April 13.

⁶⁹ The Sun 1793, May 23

⁷⁰ The Sun 1793, May 23

⁷¹ Whitehall Evening Post 1788, May 27 - May 29

⁷² See *The Seven Years' War and the British economy's impact on late 18th century slavery*, page 14

The abolition debate was quite extensive and intense as both sides could verbally assault each other both through debates and through journalism. One such entry, that even utilizes the Somerset case as an argument in their favor, can be found in an entry from the conservative paper *True Briton* from Aug. 20, 1796. The entry is an answer to a new suggestion to a bill targeting abolition of the slave trade. This new suggestion is referred to as "a fresh attempt [...] to destroy the branch of Commerce in Great Britain".⁷³ This immediately pulls the attention to the economic argument, which can easily be argued to be the core argument of the anti-abolitionists. Not only does *True Briton* call attention to the British involvement in the trade, they also argue that suggested bill would "deprive the British Merchants of this beneficial branch of commerce".⁷⁴ As seen in *Part 3*, British merchants benefited well from the trade. In addition, the goods and sales connected to this trade were a large part of the British GDP. Therefore, it is unproblematic to understand the worries of the potential economic consequences of shutting terminating the trade.

As stated by van Cleve (2008), there existed an idea of "near slavery" and "slavish servants" within English society of the 17th to early 19th century.⁷⁵ These ideas implied that British viewed themselves as less restrictive upon their slaves and that they were treated better than slaves in other places. As seen in the article from *True Briton*, these ideas were used as an argument for keeping slavery in Britain as the slaves were kept in good conditions. The article from August 1796 even goes as far as saying that "the labor of the Slaves in the Sugar Colonies is lighter than that of the British Peasantry; and [...] they are better provided for in sickness and in health, in infancy and in old age, than the laboring Poor in any part of Europe".⁷⁶ Though the basis of these statements may be questionable, they validate the the existence of the idea of a white man's burden. These opinions also neglect the wording of slavery as "odious" from the Somerset case by turning slavery into acts of kindness. The *True Briton* article even makes a mention of the case from 1772, in which it points out that its ruling did not "deny the Master's title to his negroes service".⁷⁷

Articles such as the one in *True Briton* (1796) and from *The Sun* (1793) give us the idea that the ruling of the Somerset case did not fully tip the scale, but rather set the stage for a debate in the years that followed. Going through English newspaper archives, most argumentation of the anti-abolitionists corresponds with those already discussed, which can be summarized as a mix of economical worry and the concept of the white man's burden. A final aspect that was a part of the more conservative papers was religious defense to the existence of the trade. Again, the article from *True Briton* serves as an example as it states that "the Slave Trade is sanctioned by divine law".⁷⁸ This religious aspect will not be a large part of the discussion in this paper, though it is important to acknowledge the importance of religion on contemporaries during the entire time frame covered in this essay. Among its reasoning, *True Briton* writes that anyone "denying the Holy Scriptures [shall] be incapable to hold any office, Ecclesiastical, Civil or Military".⁷⁹ That being said, such opinions and focus on religion does not define the anti-abolitionists.

⁷³ True Briton 1796, Aug. 20

⁷⁴ True Briton 1796, Aug. 20

⁷⁵ van Cleve 2006: 607 ff.

⁷⁶ True Briton 1796, Aug. 20

⁷⁷ True Briton 1796, Aug. 20

⁷⁸ True Briton 1796, Aug. 20

⁷⁹ True Briton 1796, Aug. 20

Approaching the debate

With debates raging through Britain on the topic of slavery entering the 19th, the interest and opinions surrounding this issue were high. It is not hard to understand this, as the abolitionist movement was at its peak during this period and the blockade of Africa were soon to be reality. Finding large quantities of news articles on these issues does not provide a challenge, though how one can connect these opinions to the Somerset case is an entirely different question. It requires an examination at how these articles are angled, what words and phrases are being used and how underlying attitudes are displayed. So far, it has been made apparent how the acts of slavers have been deemed as both tyrannical and as something positive depending on the faction in question. Though, the abolitionists seem concentrate more on the ethical and humane elements to the discussion while the anti-abolitionists mainly keep the economic arguments that also defined journalism of the decades prior to Somerset v Stewart.

This apparent ethical angle to the issue can also be traced to parliamentary proceedings concerning the slave trade. Much of the abolitionist argumentation came through with humanitarian anecdotes, while any argumentation surrounding economic involvement seem to be restricted to the anti-abolitionists. The humanitarian approach to the ethical aspects seem to have quite the resemblance to the Somerset ruling of the practice as "odious". In *Lloyd's Evening Post* from March 1, 1799 to March 4, 1799, they summarize a recent proceeding made in the House of Commons, tackling the topic of the Slave Trade, amid other. Among the concluding remarks of an anti-slavery member of parliament were the following: "every motive of religion, morality, and policy, call upon the House to vote for the abolition of the Slave-Trade".⁸⁰ These very arguments persists as pillars to the abolitionists.

An interesting side to the debate, that deals within a gray area of abolitionism and pro-slavery, can be found in a business article from *The Times*, Saturday Sept. 6, 1800. It talks of a "institute" where "young negroes" are cultivated. The article goes on to advocate the rights of slaves and young Africans to receive education, though it is through thoughts heavily influenced by the white man's burden. Moreover, it takes a strike at the abolitionist movement by using the following rationale: "could the advocates for the abolition of the Slave Trade do better [...] than give education in London for young Africans? Let them be taught to plead their own cause with the eloquence of Rome...".⁸¹ There are more examples of this idea, that slaves and young Africans should be given an opportunity for a new life and education, though it should be done through the acts of nations already possessing these establishments.⁸² Ultimately, this can be viewed as opinions and point of views going through change.

So far, this essay has assessed multiple articles discussing the abolition debate between the late 1770s to the first decade of the 1800s. This research identifies a pattern in which these articles can be categorized as follows: (i) pro-abolition articles, (ii) anti-abolition articles and (iii) articles merely summarizing parliamentary proceedings and hearings. Hence, there is a two-sided debate going on in which different newspapers can be seen as biased towards one of the sides. At the same time, there exists entries that to a greater extent look at the debate, reflecting on both the economical and the humanitarian aspects of the debate. One of these entries can be found in the *Evening Mail* from March 1 - March 4, 1799. On one hand, the article acknowledges the

⁸⁰ Lloyd's Evening Post 1799, March 1 to March 4

⁸¹ The Times 1800, Sept. 6

⁸² This concurs with the content highlighted in True Briton 1796, Aug. 20

importance of slaves in the cultivation of land, as well as building and “peopling new colonies of the Continent of America”.⁸³ It continues to take a shot at the anti-abolitionist, saying they have “looked to much to [the slave trade’s] effects upon the interests of the West-India Planters, while they [(the anti-abolitionists)] threw a veil over the horrid cruelties which it engendered among the unhappy natives of Africa”.⁸⁴

Referring to them as “natives of Africa” makes this article somewhat stand out. As seen in most of the articles so far, these Africans were usually referred to as negroes, slaves or, in some cases, blacks. This entry from 1799 seem to almost remind the debate that they are dealing with people from another part of the world, as a people in their own right. This entry from *Evening Mail* not only reminds the abolitionists of the economic impact of the trade, it also serves as a notice to the anti-abolitionists that their argument only takes them thus far. This entry is meant as both a comment and summary of the discussions made at the House of Lords on March 1, 1799. It illustrates that even the higher tiers of politics were split on this topic and that the topic is still divisive in the years following Somerset, both within journalism and politics.

Assessing the correlation between the Somerset case and the evolution of the abolition debate provided by newspapers from 1772 - 1807.

The anti-abolitionists’ arguments seem to be of a commercial nature and can be connected to the fact that slavery were under English commercial law.⁸⁵ Though there are clear tendencies of abolitionist attitudes portrayed through the news articles leading up to the Slave Trade Act, it is apparent that there exists a fear of English economy faltering if the abolition were to take effect. As described, the Somerset case did not itself ban slavery as part of a trade. It ruled Somerset as a free man on the basis of common law, targeting his unlawful detention and planned deportation.⁸⁶ As a result, slavery was still legally allowed in a commercial aspect, consequently giving them a foundation to withstand the abolitionist arguments. On the other hand, the Somerset ruling was perceived by many contemporaries as ending the (de jure) status of slavery.⁸⁷ As can be seen, this lead to a discussion on the ethical aspects to the issue, as well as being recognized by scholars as being impactful on a global scale in regards to abolition.

The fact that the Somerset ruling was ambiguous created room for tension and uncertainty. This led to debates in which the abolitionists confided in the humanitarian aspects, the anti-abolitionists on the commercial argument and others split between the two opposing sides. However, these arguments are not new to the post-Somerset era as seen in the excerpts included in *A look into English newspapers from the 1750s to 1770*.⁸⁸ As previously illustrated, the commercial aspects seen after 1772 are very similar to those from the previous decades. The pre-Somerset articles tend to aim their attention to the industrial aspect of slavery and explore ways to the maximize profits, such as in the excerpts discussing slave labor in Senegal.⁸⁹ These articles displays the worry of the war’s impact on the trade and how it would affect British economy. In a similar matter, the pro-slavery articles post-1772 display concern regarding how

⁸³ Evening Mail 1799, March 1 - March 4

⁸⁴ Evening Mail 1799, March 1 - March 4

⁸⁵ Shillam 2012: 596

⁸⁶ Shillam 2012: 597

⁸⁷ Oldham 2008

⁸⁸ See page 12 of this essay.

⁸⁹ See page 13-14, referring to Public Advertiser 1761, Jan. 9, and Whitehall Evening Post 1759, February 3 - February 6.

abolition would affect their economy, arguing the abolitionists to be narrow minded and naive.⁹⁰ Thus, these can be viewed as a continuation of the same attitudes and underlying philosophy of the conservative branch of the debate.

What about the abolitionist view? Is there any noticeable change in the newspapers' depiction of anti-slavery mindset before and after Mansfield's ruling? Looking at the research conducted in this essay, one might argue that there has been some change. First of all, the sheer quantity of articles containing ethical discussions and a humanitarian point of view is noticeably richer in the post-Somerset era.⁹¹ The more frequent occurrence of these perspectives can be argued as the Somerset ruling having an impact on the abolitionist movement. As stated under *A display of various attitudes in English newspapers from the 1780s to 1810* (part 4), *The Times* (1804, May 31) illustration of the slave trade as "the greatest of all sublunary evils"⁹² holds similarities to Manfield's statement of the slave trade as "odious" and "incapable of being introduced on any reasons, moral or political".⁹³ Furthermore, these ideas can be seen in continuation to the entry from *The Times* 15 years prior, as change and abolition has to be made through a "reform of the human heart".⁹⁴

Another aspect to consider is the commercialization of the abolition and how that illustrates a rapidly growing abolitionist movement willing to consume it. As argued by Oldfield in *Popular Politics and British Anti-Slavery* (1998), "anti-slavery cameos, tokens, medals and prints were all part of the growing commercialization of politics during the eighteenth century" and a part of the the "visual culture" of the abolition.⁹⁵ Such prints could be newspaper entries such as those analyzed in this essay, as well as the influx in literature on the subject. An aspect not included in the research of this essay is that of the increase of advertisements of books and other literary outlets seen in the papers around the turn of the century. Examples of this includes an advertisement in *Oracle* from June 11, 1789 for the book "The African Pilot"⁹⁶, and an advertisement on multiple writings, such as "essays", referred to as "tracts on the slave trade" in *Gazetteer and New Daily Advertiser* from Feb. 19, 1790.⁹⁷ The growing consumer base for this kind of literature, as well as the increasing presence of anti-slavery attitudes in papers in the years following Somerset adds to the idea of it being a catalyst for the abolitionist movement.

⁹⁰ See page 18-19 of this essay, and entries from *The Diary or Woodfall's Register* 1789, April 13, 1789, and *True Briton* 1796, Aug. 20.

⁹¹ The research of this essay included reading through 40-50 news articles from both the time span of 1750-1772 and 1773-1806. As discussed in *Potential flaws and errors* (page 8), these must be viewed with the same restrictions as any qualitative research. These articles were collected by using general keywords such as "slave", "slave trade", "negro", "black" and/or "Africa" as to avoid too strict limitations. These are the considerations in which this statement is made.

⁹² *The Times* 1804, May 31

⁹³ Howell 1816: cols 1-6, 79-82

⁹⁴ *The Times* 1788, Feb. 14

⁹⁵ Oldfield 1998: 179

⁹⁶ *Oracle* 1789, June 11

⁹⁷ *Gazetteer and New Daily Advertiser* 1790, Feb. 19

Conclusion

The Somerset case has been said to be a milestone for the abolitionist movement, and an important step in the end of the transatlantic slave trade. With that in mind, this essay has sought to analyze the degree of influence the Somerset ruling had on its contemporaries in the following decades leading up to the Slave Trade Act of 1807, by looking at attitudes, opinions and points of view displayed through journalism. Is it possible to link these portrayed philosophies and perspectives to the case? According to the findings of this essay, it is. However, it is not the sole component in provoking the change identified in *Part 4*. Parallels have been drawn to news articles, both before and after 1772, and how they are similar in many ways. However, the research has also analyzed an increase in the weight of the humanitarian and ethical arguments to the debate. This final part of the essay seeks to connect the arguments made thus far and argue why the Somerset ruling ended up having an impact on the British outlook on slavery, and challenged the (de facto) status of slavery. Ultimately, it argues that the case ended up becoming a catalyst for the abolition, rather than the defining aspect.

It can be concluded that the Somerset case did not create entirely new perspectives on the abolition. On the contrary, it enhanced the preexisting ones and gave an emphasis to the humanitarian and ethical aspects to the abolitionist side of the debate. Still, the bedrock for these arguments already existed in the English concept of liberty and the fact that slavery in England was not supported by common law.⁹⁸ As noted, these aspects can be traced back to the 17th century as well, as with Chief Justice Sir John Holt statement in the case of *Chamberlain v Harvey* that "by the laws of England one man cannot have *absolute property in the person* of another man".⁹⁹ Yet, the discussion on whether Britain should put an end to their involvement in the slave trade did not seem to gain a foothold in English politics before the latter part of the 18th century, at least on the basis of humanistic ideas. The same might be said about journalism and the coverage of slave trade. The moralistic point of view was not really seen in the journalism before the Somerset case; at best overshadowed by the economical and industrial discussion of the trade considering the seven years' war.¹⁰⁰

To summarize, the argument that the Somerset case did influence contemporary attitudes and philosophies on slavery can be credited to several factors. (i) Journalism directed more of their attention to the humanitarian argument to abolition, from previous the economical and industry driven focus of the previous decades. (ii) Multiple scholars and historians have identified the case to be integral to the spiraling downfall British slavery, and eventually on a global scale. (iii) The (de jure) status of slavery in Britain ended up being changed three decades later by The Slave Trade Act of 1807, indicating a major turn in political views on slavery. This turn can be seen in the debate from the included excerpts, further illustrating the part journalism played in the abolitionist movement. All these factors were made possible due to the historical context with the English notion of liberty, the role of slavery in common and commercial law and journalist portrayals of the issue in the previous decades to name some. Still, this was a debate, and slavery would still take close to three decades to achieve the full emancipation of slaves in Britain (1834).¹⁰¹

⁹⁸ See *Common law and commercial law; Slavery in the British legal system before 1772* on page 15.

⁹⁹ Dziobon 2012: 170

¹⁰⁰ See the discussions of *A look into English newspapers from the 1750s to 1770* (page 12) and *Rise in abolitionist attitudes; excerpts from newspapers, 1772 to 1807* (page 16).

¹⁰¹ Cotter 1994: 31

The English road to abolition through the scope of journalism; why it is important

Understanding the British road to abolition is an integral to explaining the history of slavery and the transatlantic slave trade. Though being the largest contributor to the trade from the mid-1600s to the end of the 19th century¹⁰² were they acknowledged as the pioneer for abolition both by contemporaries and of scholars in later years. Being the frontrunner for both slave trade and abolition implies the existence of a schism in their politics and opinions, as well as an ongoing process of change in regard to the outlook and mentality surrounding the issue. Looking into contemporary journalism gives insight and nuance to the picture of Britain's role in the abolition as it was a divisive topic there as well. Slavery was an integral part of their economy, thus making abolition a volatile subject for those involved in the trade. Understanding the intricacies of how England handled this issue may help in expanding the knowledge of how British society were in the 17th and 18th century.

¹⁰² EMORY Libraries & Information Technology n.d.

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