

American Institute for Pakistan Studies
Short Term Research Grant
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Narrative Report: The Legal Topography of Colonial Sindh (1843-1920)

With the generous support of the American Institute for Pakistani Studies, I was able to spend three months doing archival research in Karachi, Pakistan between April and June 2018. During this time, I focused on gathering materials related to the legal landscape that emerged in Sindh after 1843 – the year when slavery was officially abolished in East Indian Company territories, and also the year that Sindh was annexed into the Bombay Presidency. Sindh, traditionally seen as a peripheral region of British India, was a site where we can see colonial officers such as Charles Napier and his successors playing out various fantasies of empire building – from rescuing Sindh from the despotism and backwardness of the Talpurs, to bringing law and order to the “unproductive” peoples of Sindh.

I spent three months at the Sindh archives looking closely at Judicial Department records, petitions, correspondence with the Judicial Commissioner of Sind, and original case papers of both the Karachi and Shikarpur District Court records. These valuable records are unfortunately poorly catalogued and remain a difficult to navigate set of documents. However, I was able to both informally map out this archive, and find fascinating evidence giving us analytical purchase on the question of how the law functioned both in general, and in particular to regulate labor in colonial Sindh. I uncovered, for instance, discussions around the impacts of the legal abolition of forced labor and statute labor. Publicly supporting “free” labor was of paramount concern for the regime, yet labor intensive projects were many. In addition I was also able to uncover a small corpus of petitions from *haris* – a group of indebted agricultural laborers – from the 1900s onwards, demonstrating the possibility of appeal to the legal apparatus in instances of intense *zamindar* – or landlord – coercion. I supplemented these colonial records with a thorough review of the printed law reports focusing on Sindh, which can be found scattered between the Sindh High Court Library, the Sindh Archive, and Sindhology Institute at the University of Sindh Jamshoro.

In general, however, in terms of labor control, Sindh is an interesting case where we see a marked absence of legal intervention. This turning a cheek away from those labor relationships embedded in reciprocal obligations tied to land, provides us insight into why debt bondage and bonded labor have remained invisible in Pakistan. This invisibility was built into the very legal framework inherited by new post-colonial state of Pakistan. Labor laws, which have their own successes and struggles in the post-independence era – have rarely touched the unregulated world of agricultural bondage, or other forms of attached labor arrangements. While Pakistani scholars have looked for the answer to this problem in the history of land relations – my work shifts focus to seeing this as tied to a global legal regime around master-servant legislation emerging in the aftermath of the abolition of slavery. The very machinery of sifting between free and unfree labour, therefore, allowed certain relationships - slavery, forced labor, indenture and contract labour - to be critically examined, while other more indigenous forms of labor arrangements based on debt and custom, to be left undisturbed.