

SLAVE TRADE ON THE INDO-NEPAL BORDER IN THE NINETEENTH CENTURY

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From the early centuries traffic in slaves was an important feature in the trade of Asia.¹ Slavery was an ancient institution both in India and Nepal. The writings of Buchanan, Dubois, Malcolm and Jones show that in the eighteenth century slavery was widespread in different parts of India. The East India Company for several years took part in the slave trade as a profitable concern. Slaves were "regularly registered in the Court House, where a duty of Rs. 4 and annas 4 a head was paid". Calcutta was an important slave market. Indian slaves were exported to St. Helena, the French islands in the Indian Ocean and to Ceylon by the Portuguese and traders of other European Companies. They were also imported into Bombay or Calcutta from outside India, chiefly from Africa and some places around the Persian Gulf, Armenia and Mauritius.² In Mithila and the adjoining areas on either side of the frontier slavery and traffic in slaves were prevalent from Kautilya's days down to the nineteenth century.³ Both Indians and Europeans took part in this nefarious trade.⁴ The northern frontier of India was an attractive zone for slave trading. The practice was noticed in 1859 on the Punjab frontier towards Kashmir and particularly in Jheelum, Gujrat and Sealkote Districts. The Bhutan war of 1865 also showed that slavery had long been prevalent on the Rungpore and Assam frontiers.⁵ The Hooker affair and the Anglo-Sikkimese War of 1861 also demonstrated that slave trade was one of the causes that

1 *B. Spuler*, Trade in the Eastern Islamic Countries in the early centuries, p.19; *Nevill Chittick*, East African trade with the Orient, p. 102. *Islam and the Trade of Asia*, ed. D. S. Richards (Bruno Cassirer London 1970).

2 *K.K. Dutta*, Survey of India's Social Life and Economic Condition in the Eighteenth Century (1707—1813). (Calcutta 1961). pp. 40—45.

Upendra Thakur, "Some Aspects of Slavery in the 17th—19th Centuries". *The Journal of the Bihar Research Society*, Vol. XLIV. March-June 1958.

4 *R. C. Majumdar* (ed.) History and Culture of the Indian People Vol. X. *British Paramountcy and Indian Renaissance. Part II* (Bombay 1965). pp. 279—280.

5 *R. B. Pemberton*, Report on Bootan. (Originally published in 1838, reprinted in Calcutta 1961).

Ashley Eden, Report on the State of Bootan and on the Progress of the Mission of 1863—64, (Bengal Secretariat Press, Calcutta 1865, reprinted in Delhi, 1972). *David Field Rennie*, Bhotan the Story of the Dooar War. (John Murray, London 1866) Reprinted in Delhi, 1961.

led to trouble. In the Anglo-Sikkimese Treaty of 1861, it was stipulated that “inasmuch as many of the late misunderstandings have had their foundation in the custom which exists in Sikkim of dealing in slaves, the Government of Sikkim binds itself to punish severely any person trafficking in human beings, or seizing persons for the purpose of using them as slaves”. In August 1871, Colonel Haughton, the Commissioner of Cooch Behar Division, forwarded some petitions to the Deputy Commissioner of Darjeeling which showed that the practice of dealing in slaves continued up to that time on the eastern frontier of India.⁶ The Nizam’s territories were also not free from this evil practice, and slavery existed in India in different names and forms. The *Gohulams*, *Laundas* and *Laundies* of the Bengal zamindars were nothing but slaves.⁷ The slave trade was abolished in 1807 in the British Empire. The sale and purchase of slaves were made a criminal offence in 1832. The Indian Act V of 1843 made slavery illegal in India, and the Indian Penal Code of 1860 rendered keeping or trafficking in slaves a penal offence.

Daniel Wright wrote in 1877 that there were from twenty to thirty thousand slaves in Nepal, generally employed in domestic work, wood-cutting, grass-cutting and similar activities. The prices for female slaves ranged from 150 to 200 Rupees and for male slaves from 100 to 150 rupees.⁸ The slave-owners could be classified into three groups: (1) aristocrats who inherited slaves as ancestral property; (2) agriculturists who maintained slaves for work in the fields; (3) those who reared slaves like cattle and sold them for profit.⁹ The slaves consisted mostly of young persons, of criminals who had committed incest or of the offspring of such persons. However, the child of a slave woman by her free-born master was not a slave. Before the time of Jang Bahadur, the private sale of children was a common practice among parents belonging to the

6 *Bengal Administration Report for 1871—72, part II, p. 8.*

7 *Proceedings of the Government of Bengal in the Political Department for August 1867. No. 30.* J. Beams, Magistrate of Champaran to the Commissioner of the Patna Division. No. 76 dated 11 July 1867.

8 *Daniel Wright, History of Nepal.* Originally published in 1877. Reprinted by Sushil Gupta, Calcutta 1965. p. 30.

On 1 December 1836 in the Kathmandu Bazar, the following rates for sale of slaves were prevalent:- Full grown male slaves Rs. 80 each. Full grown female slaves-Rs 100 each. Boy slaves -Rs. 40 each, Girl slaves-Rs. 50 each. A. Campbell, Notes on the Agriculture and Rural Economy of the Valley of Nepal (Kathmandu 1836). p. 32.

9 *K. Majumdar, “British Impact on Nepal”. Bengal Past and Present, January–June 1971. p. 14.*

lower castes of the Newars and Parbatiyas,¹⁰ The slaves were purchased from among the poverty-stricken peoples of Bihar and the North-Western Provinces. The purchases were made in India at Rs. 4 or 5 and sold in Nepal for Rs. 30 or 40 each. The majority of the purchasers were the Sepahis and other Gurkha officials whose duty it was to prevent the traffic they encouraged. The various *chowkies*, *cutcheries* and military posts between the Indian frontier and Kathmandu were, to all intents and purposes, depots for the purchase and sale of human beings. In the Nepalese *chowkies* and *cutcheries* at places like Seesaghureo, Hetounda, Beecheakoh, Kullea, Persownee, slaves were kept and sold at a high profit. Ramsay himself cited an instance in which no less than five were purchased by the small Gurkha guard attached to the Residency from the Kotea at Seesaghuree, a Government official.¹¹ Many slaves were sold by their parents or other relatives. Some were enticed away and some were stolen and brought into Nepal. A few came in search of food and took shelter with well-to-do persons. In most cases they were of very low castes being *chamars*, *dosads* and *doms*. Generally they pretended that they belonged to higher castes, such as *kurmies*, *ahirs*, *dhanuks*, *keories* etc. so that they might be better treated.¹² As a result of severe scarcity in Champaran and other districts, a great rise in the traffic of slaves took place during eighteen months in 1866-67. The reasons that led to this rise have been given by Jang Bahadur himself. He stated, "On receiving reports from the teraie authorities that thousands of people were dying from the effects of famine, I sent orders that they might distribute grain worth from 2 to 2½ lakhs of rupees in each zillah, in charity, confining it to one seer to each person. Hearing this news, British subjects also flocked to receive this charity and such was their number that the grain would not suffice for all of them, even when each person's share of the charity was reduced to two handfuls. And when no grain could be had for money, Fukees, Mohunts, chowdhurries and zamindars also distributed grain according to their means. But this also proved insufficient, and people began to sell their children; thus sold they would receive support from their purchasers while their parents would be able to derive means for their own support from the money that they would get for their children's price. I then sent orders

10 *Political A. October* 1877. (cf. note 30) Nos. 376-378. F. Henvey, Offg. Resident in Nepal to T.H. Thornton, offg. Secretary to the Government of India. No. 32, dated 29 June 1877.

11. *Darjeeling District Records*. General Department. English Correspondence 1851-79. Ramsay to the Secretary to the Government of India in the Foreign Department. No. 13 dated 21 May 1867. Abstract translation of Yaddasht from Ramsay to Jang Bahadur dated 21 May 1867.

12. *Proceedings of the Bengal Government in the Political Department for August* 1867. No. 11-12. Ramsay to the Magistrate of Champaran No. 47 dated 10 June 1867.

that, although they were not to encourage the sellers, they were not to prohibit any one from purchasing children. This was the reason why British subjects have been lately purchased.”¹³

Jenkins, the officiating Commissioner of the Patna Division, also reported that during periods of scarcity parents sold their children to the Nepalese in large numbers. They wanted also to procure for their children a home in which they could receive the necessities of life. ¹⁴

Jang Bahadur himself was very much alive to the evils of the problem and so he ordered the liberation of numerous slaves who had been recently purchased. He confined his orders only to those persons purchased during the year 1866-67; thus he did not include those who had stayed as naturalized citizens in Nepal for years. The emancipated slaves were taken to the British Residency at Kathmandu for return to India. The first batch sent to the Residency included 450 slaves. All were repeatedly told that their return depended on their own free will, that Jang Bahadur had ordered their emancipation and that they would be sent to their homes, if they so desired or, if they preferred, they could stay at Kathmandu and take service with anyone. The purchasers of these slaves were quite naturally reluctant to part with them. The liberated slaves complained that many of their companions were kept back and concealed at some places. Some women brought from Kathmandu stated that one or more of their original number were concealed by their guards at nearly every village they passed through on their way to Kathmandu.¹⁵ The British Government took elaborate measures to receive the liberated slaves and restore them to their homes. Some of the slaves, particularly females, after coming over to the Indian side of the frontier wanted to go back again to Nepal, as they were reluctant to part with the links they had formed there. After careful enquiry, those who were found to be really anxious, were assisted to go back. ¹⁶

Under the direction of Jang Bahadur, orders were sent to the local officers along the border declaring that persons buying or selling British or Nepalese subjects would be severely punished. In fact, a legal prohibition had for long existed concerning the purchase and also sale of free-born persons in Nepal. The order of Jang Bahadur reiterated this prohibition. Jang Bahadur further stated, “.....if any one sells

13 *Political A. November 1867. No. 84. Abstract translation of a Yaddasht from Jang Bahadur to Ramsay dated 28 October 1867.*

14 *Proceedings of the Government in the Political Department for August 1867. No. 27. Jenkins to the Secretary to the Government of Bengal No 28 dated 29 July 1867.*

15 *Political A. October 1867. No. 225 Ramsay to J. W. S. Wyllie, Under-Secretary to the Government of India in Foreign Department No. 29, dated 23 September 1867.*

16 *Bengal Administration Report during 1867—68. p. 245.*

British subjects within Nepalese territory, and if he be apprehended within the same Nepalese territory, it is proper according to the Treaty that he should be severely punished by the Nepalese courts, according to Nepalese Law, and I beg that this practice may be allowed to continue"¹⁷. He recalled also that an order had long existed stating that persons selling free-born human beings were to be fined Rs. 360 and in default of payment of the fine, were to be imprisoned for a period of three years and four months, or until the whole amount was accounted for, by the deduction of Rs. 9/- for every month that the prisoner remained in jail.¹⁸

He also passed a law to the effect that no person from whose hands water could according to the laws of caste be taken should be reduced to slavery. But he could not abolish the custom altogether. He permitted even those members of higher castes who were already slaves as well as their offspring to remain in slavery.¹⁹ In brief, the concrete steps he adopted to deal with this problem included: (1) emancipation of the newly-bought slaves, (2) the order to Nepalese officers in the Terai not to indulge in slave trade, (3) the law forbidding any person to sell himself and debarring parents from selling their children. It was also laid down that a fugitive slave, who had settled in *Naya Mulk*, and the district of Morang in the Terai, could not be enslaved again.²⁰ But, unfortunately, in spite of this pious legislation, the practice could not be stopped. Sections 395 to 371 of the Indian Penal Code made kidnapping and dealing in slaves illegal. But the accused could be punished only if he could be caught; and the problem was how to catch him. The police were too few in numbers and stationed in distant posts. They had no authority to stop a man travelling with a child merely on the suspicion that the child was a kidnapped one. The people on both sides of the frontier were mostly Hindus and they frequently inter-married. If the police was to be instructed to stop men travelling with boys and girls, many honest persons accompanying children would be stopped and subjected to all types of extortion.²¹

17 *Political A. November 1867. No. 84.* Abstract translation of a Yaddasht from Jang Bahadur to the Resident dated 28 October 1867.

18 *Ibid.*

19 *Political A. October 1877. No. 376.* F. Henvey, officiating Resident in Nepal to T.H. Thornton, officiating Secretary to the Government of India, Foreign Department No. 32 P dated 29 June 1877.

20 *K. Majumdar, op. cit. p. 14.*

21 *Proceedings of the Bengal Government in the Political Department for August 1867.* No. 28. J. Beams, Magistrate of Champaran, to the Commissioner of the Patna Division No. 59 dated 15 May, 1867.

Moreover, people along the border held land on both sides of it. If suspicious persons were stopped and questioned, they would pretend that their slaves were relatives whom they were taking to houses of relations on the other side of the frontier. If the police were given power to stop all suspected and suspicious persons, the door would be wide open to extortion and oppression. Beams reported: "Again, in times of famine especially, but more or less at all times, native British subjects voluntarily sell their children to any one who will take care of them often asking no questions as to what will be done with them. It would require a much larger and much better organised police system than we possess, or could hope to establish, to put a stop to this practice." Children so sold lived for years in India with their purchasers and were not taken into Nepal until they were of a marriageable and consequently of a saleable age. The original sale took place when they were very young, so that children lost all memory of their real parents and did not even know their names; they believed themselves to be the children of their purchasers; or perhaps they neither knew, nor cared to know who their parents were. Beams argued:

"In this case if they were arrested on crossing the frontier, no clue would be obtained as to their origin; and, in spite of the odium attached to the name of slavery, it would be a very mistaken kindness to take them away from their rich protectors, who kept them in comfort, and restore them to poverty-stricken parents with whom they would starve, and on whose resources they would be a heavy burden. The result of such a measure with females would be that they would be sold for purposes of prostitution in British territories and I submit that of the two fates that await them, that of being the slave concubine of a Nepalese official, is less revolting to morality and less prejudicial to the individual than that of a public prostitute".²²

The greater part of the frontier was artificial. Covered with dense forests, it had a few tracts but no roads. The area was unhealthy and inhabited by a class of people called Tharus, who practised witchcraft. The police were generally reluctant to interfere with them and it was impossible to prevent theft, smuggling, kidnapping or any other such practices there. In brief, the Government of India had no effective control over a considerable part of the frontier. The slaves were usually taken to Nepal one by one and not in batches. Moreover, no suspicion was aroused by persons walking into Nepal with children who went willingly and who might seem to be their own. The most salient factor was that the Terai *Soubahs* connived not only at this traffic but also at the traffic in stolen property and many other villainies. Thus the slave traffic could not be stopped.²³

²² *Proceedings of the Bengal Government in the Political Department for August 1867.*

No. 30. J. Beams, Magistrate of Champaran, to the Commissioner of the Patna Division No. 76 dated 11 July, 1867.

²³ *Ibid.*

Beams was of the opinion that if the practice was made criminal in Nepal and if the offenders were really punished when caught, the traffic in slaves would die out.²⁴ The Magistrate of Tirhut also pointed out that the demand for slaves was acute in Nepal, and India had the problem of a growing population of poor people. No amount of police observation would check this traffic as long as the demand existed in Nepal. He too suggested: "Let the Darbar there make slavery illegal and honestly punish all cases of the breach of the law, and we may hope for some good results."²⁵ The Commissioner of Patna Division also held that the real remedy for the evil in question lay in the hands of the Nepal Government.²⁶ The Government of Bengal also agreed that effective measures to check this practice could be taken by the Nepal Darbar only.²⁷ The British Resident in Nepal suggested three measures for the further prevention of the traffic. Firstly, the Darbar should issue a Proclamation, to be promulgated by the *Soubahs* and other authorities, forbidding the purchase, on any plea whatsoever, of Indians who might be brought into the Terai for sale, and declaring that all who infringed the order should be punished. Secondly, the persons who came to the Terai for this traffic should be sent to the Indian *Thannah* with a statement of their offence. Thirdly, the Government of India should sanction a small payment for obtaining reliable information about persons engaged in such transactions.²⁸ The Government of India approved these suggestions and authorised the Resident to incur a small outlay for obtaining reliable information about persons so engaged.²⁹ The Resident also strongly reiterated the stand of the Bengal Government that effective measures to check the practice could be taken by the Nepal Darbar only. The traffic would certainly cease if the Darbar denounced it and showed that it was determined to put it down and to punish severely all persons who were engaged in it.³⁰ In fact, some measures were taken to put down the traffic. In India the district

²⁴ *Ibid.*, *Proceedings No. 30.*

²⁵ *Ibid.*, *Proceeding No. 32.* H. A. Cockerell officiating Magistrate at Tirhut to the Commissioner of the Division No. 120. dated 24 July. 1867.

²⁶ *Ibid.*, *Proceedings No. 27.* Jenkins, Officiating Commissioner of the Patan Division to the Secretary to the Government of Bengal. No. 28 dated 29 July 1867.

²⁷ *Ibid.*, *Proceedings No. 33.* H.L. Dampier, officiating Secretary to the Government of Bengal to the Secretary to the Government of India. Foreign Department No. 467T dated 20 August 1867.

²⁸ *Political A. October 1867. No. 225.* G. Ramsay to J. W. S. Wylie, Under Secretary to the Government of India Foreign Department No. dated 23 September 1867.

²⁹ *Ibid.*, *No. 226.* The Foreign Secretary India Government to the Resident in Nepal. No. 1112 dated 31 October 1867.

³⁰ *Political A. November 1867. No. 83.* Abstract translation of Yaddasht from Ramsay to Jang Bahadur, dated October 3, 1867.

officers were instructed to use their influence on the people in the border districts to dissuade them from such transactions with the warning that severe penalties would be inflicted if such practices were allowed to continue. The Darbar was also asked to interdict the traffic in Nepal and to hand over to the nearest British *Thannah* all the persons coming into the Terai to offer their fellow creatures for sale. ³¹

On 28 November 1924 Chandra Shamsher made an appeal to his people: "Let us stop purchase and sale of slaves and separation of the members of the family from each other; let the law providing an opportunity of emancipation for any slave when about to be sold be made more effective and comprehensive by the Government itself taking place of the kith and kin when none comes forward." ³² The appeal was not urged in vain. A new law was passed making slavery a penal offence. It provided for compensation to the slave owners. All children under seven were immediately manumitted. The Nepalese Government had to spend a sum of 3,670,000 rupees for the liberation scheme, an average of seventy rupees per slave. "Of the total slave population of 59,873, compensation had to be paid for 51,782; 4,651 slaves were freed by their masters with compensation; 1984 died; 1342 fled; and 114 paid for their release." ³³ The slave trade between India and Nepal thus ceased forever.

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³¹ *Bengal Administration Report during 1867-68. p. 245.*

³² *An appeal to the people of Nepal for the Emancipation of slaves and abolition of Slavery in the Country (Kathmandu 1925). p. 54.*

³³ *K. Majumdar, "British Impact on Nepal". Bengal Past and Present. January-June 1971. p. 15.*

N. B. The references in footnotes numbered 10, 13, 15, 17, 18, 19, 28, 29, and 30 are to Records, Foreign Department, National Archives of India, New Delhi. Darjeeling District Records were consulted by me in the Record-Room of the Deputy-Commissioner's office, Darjeeling; Proceedings of the Bengal Government in the West Bengal State Archives, Calcutta, and Bengal Administration Reports in the West Bengal Secretariat Library.



