



Masters, Servants, and Magistrates in Britain and the Empire, 1562-1955 (Studies in Legal History)

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Master and servant acts, the cornerstone of English employment law for more than four hundred years, gave largely unsupervised, inferior magistrates wide discretion over employment relations, including the power to whip, fine, and imprison men, women, and children for breach of private contracts with their employers. The English model was adopted, modified, and reinvented in more than a thousand colonial statutes and ordinances regulating the recruitment, retention, and discipline of workers in shops, mines, and factories; on farms, in forests, and on plantations; and at sea. This collection presents the first integrated comparative account of employment law, its enforcement, and its importance throughout the British Empire.

Sweeping in its geographic and temporal scope, this volume tests the relationship between enacted law and enforced law in varied settings, with different social and racial structures, different economies, and different constitutional relationships to Britain. Investigations of the enforcement of master and servant law in England, the British Caribbean, India, Africa, Hong Kong, Canada, Australia, and colonial America shed new light on the nature of law and legal institutions, the role of inferior courts in compelling performance, and the definition of "free labor" within a multiracial empire.

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