

Policing in the ‘peculiar institution’: On overseers’ and slave patrollers’ activities and functions

Abstract

The peculiar institution of slavery operated to confine and control enslaved people in the history of the United States. Chattel slavery from the colonial era to the Civil War included two forms of policing: overseers and slave patrollers that exist in a structurally linked relationship. Drawing on Frederick Douglass’s and Harriet Jacobs’s autobiographical accounts, this article examines how enslaved people perceived overseers’ and patrollers’ activities and functions during slavery. It develops an alternative conception of overseers and slave patrollers as kindred *agents of confinement and control*, whom society permitted to enclose and monitor enslaved people to exploit their material and symbolic value to society. Overseers deployed watching and whipping to exert control, while patrollers used searching and whipping to regulate enslaved people. This article demonstrates that there is much to be gained by considering the structural syncretism in the activities and functions of overseers and slave patrollers.

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Introduction

The “peculiar institution” of chattel slavery operated to confine and control enslaved Black people in the American context.¹⁻³ Scholars examine chattel slavery as a project of racial capitalist accumulation and a dynamic legal system comprised of laws, law enforcement, courts, and punishment.^{1,4-11} As a result, chattel slavery was a legal relationship of property wherein enslaved people were legally objectified as commodities that could be used, abused, and exchanged to extract economic value.^{1,4,5,11} Slave law and courts have received substantial attention to illustrate how statutes influence the legal realities of slavery.^{9,10} However, research on law enforcement during slavery is largely limited to slave patrols,¹²⁻¹⁴ eclipsing the role of overseers. With similar activities and functions to control enslaved people, overseers and slave patrollers were formed to respond to the evolving needs of slavery.^{6,15,16}

From the colonial era to the Civil War, two types of law enforcement used surveillance to confine and control enslaved people.^{1,5} The first is the overseer who supervised enslaved people’s labour and behaviour throughout the plantation.^{4,15-19} The second is the slave patrol, which was a small group of three to six patrollers armed and authorised to control the movement of enslaved people outside of plantations, check for slave passes, catch and return runaways, disband gatherings they deemed suspicious and insurrectionary, search slave quarters for contraband, such as weapons and resources for education and escape.^{6,13,15,20-22} Overseers and slave patrollers served as “a staff of people” who used physical and psychological coercion to enforce compliance²³ and race-making.^{5,20,24} Thus, overseers and slave patrollers exist in structurally linked relationships.

This article demonstrates how enslaved people perceived overseers and patrollers as agents who maintained confinement, control, and social death.^{2,20,24} It examines two prominent slave narratives: Frederick Douglass’s *Narrative of the Life of Frederick Douglass* and Harriet Jacobs’s *Incidents in the Life of a Slave Girl* to establish that there is much to be gained by comparatively examining how enslaved people understand overseers and patrollers. Both overseers and patrollers serve as a type of law enforcement, namely as *agents of forced confinement and control*, where surveillance was

critical to their ongoing operation. The findings show that Douglass and Jacobs perceived overseers as threatening to use and using watching and whipping to enforce labour on plantations. In contrast, they understood patrollers as threatening and using searching to capture and enslave people. By focusing on overseers’ and patrollers’ activities and functions related to surveillance and social control, overseers and patrollers display striking similarities^{25,20} (Foucault 1977; Browne 2015). The activities and functions of overseers and slave patrollers exist in a structurally linked relationship that requires further systematic study.

Literature review

Overseers and slave patrollers as law enforcement and a police force

A burgeoning body of research directs attention to how the laws on the books sustained the activities of overseers and slave patrollers.^{5,13,20,26-28} During the late seventeenth century, the enslavement of Africans by Europeans and Africans was maintained by slavery’s layers of law enforcement: “overseers to supervise slave labour, slave catchers to retrieve runaways, soldiers to keep order and guard against insurrections, and officials to adjudicate and punish transgressions beyond a master’s reach”.²⁹ Several Southern legislatures created laws that delegated the authority to supervise enslaved people to overseers and created legal and financial sanctions for slaveholders who did not comply.^{13,26,30} Overseers were guided by regulations that influenced how they supervised and examined enslaved people, such as Tait’s ten general and nineteen specific rules for overseers.²⁰ Similarly, the Fugitive Slave Laws of 1793 and 1850 also provided patrollers with legal authority to regulate the movement of enslaved people outside of plantations. Specifically, in North Carolina, county courts selected and swore in “searchers” and endowed them with the legal authority to enter slave quarters and hunt for weapons.⁶ Thus, both overseers and slave patrollers were empowered by laws on the books to confine and control enslaved people.

To capture the activities and functions of overseers and slave patrollers requires a theoretical framework that can effectively account for how a group of people use coercion to create lived experiences

with the law to serve economic extraction.^{23,31} Weber's sociological theory of law provides the necessary theoretical toolkit to address this issue. The theory establishes that formal conceptions of law with strict procedures and certainty in sanctions provide the necessary conditions for economic transactions that facilitate capitalist accumulation.³¹ According to Weber:²³ "An order will be called law if it is externally guaranteed by the probability that physical or psychological coercion will be applied by a staff of people in order to bring about compliance or avenge violation" (34). Crucially, Weber²³ identifies "a staff of people" or individuals in official positions that compel compliance with the threat of physical and psychological consequences for noncompliance. Overseers and patrollers served as two "staff of people" who employed physical and psychological coercion to induce compliance.^{5,32,18} Neocleous³³ also provides a foundational way to examine how policing is central to the state's consolidation of capital by fabricating a social order based on security and class formation.¹⁵ Importantly, Neocleous³³ argues, "the best way to understand police is as an *activity* rather than an institution, a *function* rather than an entity" (5; emphasis original). The theories direct attention to the individuals, activities, and functions that create law enforcement and policing, but require additional development to understand America's racial formation.

W.E.B. DuBois⁵ provides a theoretical approach to examine further how labour exploitation, policing, and racial status hierarchies coalesce under slavery.^{4,11,34-36} Specifically, DuBois⁵ explains how racialisation, the process of intersubjectively constructing racial meanings that structure the experiences of groups and individuals, and colonialism were central to the processes of producing capital, producing "racial capitalism" and "colonial capitalism" respectively.^{34,37} This theory provides insights into slavery as a mode of power, violence, dispossession, and accumulation,³⁸ but can obscure the gendered and sexual violence that enabled these processes.³⁹ However, the theory adeptly identifies the role of law enforcement during slavery: "The system of slavery demanded a *special police force*, and such a force was made possible and unusually effective by the presence of poor whites. First of all, it gave him work and some authority as overseer, slave driver, and member of the patrol system...it fed his vanity because it associated him with the masters" (12; emphasis added). By serving as overseers' and slave patrollers' sustained slavery poor whites received "psychological wages of whiteness," where "They were given public deference and titles of courtesy because they were white".^{5,37} Together, the theoretical toolkit allows an analysis of how enslaved people perceived overseers' and patrollers' activities and functions in tandem with race and class.

Overseers and slave patrollers as agents of confinement and control

Chattel slavery also included a complex surveillance system that created distinct watching and searching techniques among enslavers, slaveholders, overseers, and slave patrollers.^{6,13,20,40-42} Specifically, slavery was a "peculiarly ocular" institution^{18,32} with viewing practices that were sustained partially by overseers' and slave patrollers' scrutiny of enslaved people.⁴⁰ Enslaved people arrived on American soil under "the brutal watch" of enslavers, where enslavers forcibly transported them from slave ships to plantations.^{41,43,44} Overseers and slave patrollers executed surveillance techniques across "sites of surveillance"⁴⁵ such as plantations, auction blocks, and roads.^{13,20} While overseers and patrollers exist in a structurally linked relationship as kindred agents of confinement and control, they also differ in roles, function, and scales of operation. For example, overseers were initially responsible for preventing enslaved people from possessing weapons, stealing, and moving on Sundays. However, as enslaved people's

resistance strategies advanced, Barbadian colonists used Spanish and Portuguese legislation as a precedent to develop slave patrols.^{6,15,22,42}

Existing research classifies overseers as a key source of slavery's surveillance system, who represented discipline and enforced punishment and reproduction with their whips.^{16-18,20} The overseer system, initially introduced to the United States by the Virginia Company, was developed from English practices in the Caribbean.^{6,16-18,22} In the Caribbean, overseers were "expected to keep the Negro cabins under *close surveillance*, searching twice a month for stolen goods, clubs, and wooden swords".¹⁹ Overseers served as "the middleman" between slaveholders and enslaved people, where their supervision evolved to meet the needs of enslavement.^{4,28,30} Although overseers were typecast as poor white men, they negotiated various roles and public reputations as taskmaster, scoundrel, rival, subaltern, colleague, *spy*, and *warrior*.⁴⁶ Significantly, overseers' whips represented their power to discipline enslaved people, which "was essential to reproducing domination".^{40,4} For example, in a study of overseers, Scarborough¹⁶ concludes:

The overseer could always be distinguished by his badge of office, a whip, 'which is ever in his hand.' He could usually be seen riding back and forth through the fields, whip in hand, inspecting the work of the Negroes. The presence of an overseer in the field had a pronounced effect upon the exertions of slaves working under his watchful eye (8; emphasis added).

Overseers also used surveillance and violence to enforce reproduction among enslaved people.^{47,48}

Studies establish slave patrollers as a key feature of slavery's surveillance system. Patrollers often walked or rode together as a "beat company" of three to six men armed and authorised to search without search warrants any house where enslaved people were suspected of hiding or loitering.^{6,13,20} Slave patrollers were comprised of poor and property-owning middle-class white men.^{6,12} Historical accounts establish that Southern states developed patrollers as legal authorities that were expanded to meet the threats of insurrection.^{6,22} Consequently, slave patrols maintained broad discretionary authority: they could enter enslaved people's homes at will, require identification or slave passes, restrict enslaved people's movements, disperse enslaved people's meetings, and punish enslaved people who were fugitives.^{6,15,13,20,22,42,49} Over time, states expanded the powers of patrollers following the Revolutionary War to allow them to enter the homes of whites and search for the enslaved without their owners. The patrols were central to white dominance in areas where enslaved people outnumbered whites.^{6,12,15,42,44}

Research indicates the need for a theoretical framework that accounts for how institutionalised agents enact surveillance to achieve social control. Michel Foucault's²⁵ genealogical analysis of the prison provides the necessary framework to illuminate how the principles of surveillance coalesce with architectural designs intended to exert control over watched individuals. Drawing on the model of "The Panopticon" or "inspection house," Foucault²⁵ argues that "discipline makes individuals" through "simple instruments," including hierarchical observations, normalising judgments, and examinations.^{20,50} Hierarchical observation refers to the superordinate authority watching the subordinate through physical structures or structured gazes. Normalising judgment is defined as the measurements, comparisons, establishment and compliance with a set of rules and norms, and exclusions. The hierarchical observation and normalising judgment coalesce in the examination. Surveillance aimed to objectify, transform, and rectify individuals through structural arrangements, registration, examination, and documentation.²⁵ As a result, Foucault²⁵

illuminates how penal institutions exert control through windows and lighting that were developed to make individuals in cells visible to the central inspection tower.^{20,25,50} Accordingly, surveillance operates to achieve social control, defined as compliance with a set of standards and norms.²⁵

Overseers and slave patrollers' surveillance of enslaved people also requires a framework that analyses how surveillance can construct race. Building on Foucault,²⁵ Browne²⁰ develops an alternative conception of surveillance that directs attention to the social construction of race. Accordingly, the slave ship is conceptualised as a paradigm for surveillance as "a mobile, seagoing prison at a time when the modern prison had not yet been established on land".^{20,43} Throughout the modern history of prisons, enslaved people were officially denied rights, assuring their unfreedom by means outside of prison.³⁵ Extending Omi and Winant's⁵¹ conception of racialisation as the discursive and ideological practices that imbue bodies with corporeal meanings, Browne²⁰ develops "racialising surveillance" to explain how slavery reified racial boundaries with violent and discriminatory treatment, simultaneously constructing race, achieving social control and social death. This theory uses the slave ship as an archetype to demonstrate how surveillance works in tandem with racial division and discrimination. Racialising surveillance requires more theoretical development to demonstrate the specific agents of surveillance that imposed corporeal meanings on human bodies.

Surveillance also upheld enslaved people's social death.^{20,24} Patterson²⁴ develops "social death" as a tripartite theory that defines slavery based on interpersonal relationships. Social death describes how "slavery is the permanent, violent domination of natively alienated and generally dishonoured persons" (13). Surveillance can enable each component of social death. For example, overseers and patrollers used surveillance to determine when to use violence against enslaved people to guarantee exploitation. They also controlled enslaved people's access to social resources to ensure their natal alienation and monitored sexual coupling that contributed to dishonour. Patterson²⁴ describes patrollers as regulating instruments within enslavement that determined the everyday life of enslaved people: "Unlike other persons, doing so meant struggling with and penetrating the iron curtain of the master, his community, his laws, his policemen or patrollers..."²⁴ As slave patrols enforced slave laws, they used surveillance to achieve the social death of enslaved people. Social death, as a concept, is often referred to as an "agentless abstraction";⁵² this article focuses on the agents who facilitated social death of enslaved people.

Frederick Douglass's⁵³ autobiographical account titled *Narrative of the Life of Frederick Douglass* and Harriet A. Jacobs's⁵⁴ *Incidents in the Life of a Slave Girl* offer insights into overseers' and slave patrollers' activities and functions. A handful of scholars have examined Douglass's narrative to reveal how surveillance operated under enslavement.^{18,27,55,56} Studies also examine how Douglass uses watching to invert power relationships and escape enslavement.^{20, 27,56} Some studies examine Jacobs's narrative as evidence of slave women's experiences.^{20,40,47} A more recent study also explores how Jacobs was aware of institutionalised watchers and searchers.^{27,56} This article provides an in-depth analysis of Douglass's and Jacobs's narratives by focusing on their perceptions and situations with overseers and patrollers as expressions of surveillance.

With this theoretical framework, researchers can use slave narratives to ask new questions about how enslaved people perceived contact with individuals tasked with enacting surveillance. How do enslaved people understand overseers' and patrollers' functions under enslavement? How do overseers' and patrollers' activities construct

surveillance under enslavement? The remainder of this article pursues these questions. To demonstrate the merits of my approach, I present the findings from two slave narratives to gather more empirical and theoretical insights into how overseers and patrollers. To be clear, this article theorises overseers and patrollers as a source of economic extraction to fuel the racial directions of capitalism during slavery^{5,23} and underscores the role of surveillance in the creation of colonial society's legal, racial, and class-based systems.^{5,25,20}

Methods and analysis

This is a small-scale study that focuses on moments when enslaved people perceived and interacted with overseers and slave patrollers. Current scholarship highlights overseers and patrollers to build historical accounts,^{6,15,16} but it offers limited evidence to understand how enslaved people experienced contact with overseers and patrollers. Slave narratives provide the necessary data to examine how enslaved people interacted with those conducting surveillance under slavery. Slave narratives serve as primary sources that detail "a sociology of slavery and freedom".⁵⁷ Gordon⁵⁷ shows that slave narratives are expressions of the sociological imagination, where narratives combine autobiographic, ethnographic, historical, literary, and political dimensions to explore the patterns of their lives during enslavement. Thus, Frederick Douglass's⁵³ *The Narrative of the Life of Frederick Douglass* and Harriet A. Jacobs's⁵⁴ *Incidents in the Life of a Slave Girl* are valuable primary sources to examine how enslaved people perceived and interacted with overseers and patrollers.

This study uses a purposive sample of two slave narratives to reveal how overseers and patrollers operated during slavery. I selected two prominent slave narratives from Frederick Douglass, an enslaved man, and Harriet Jacobs, an enslaved woman, to examine enslaved people's indirect and direct experiences with overseers and slave patrollers. Douglass described at least five overseers and referred to them as Mr. Plummer, Mr. Severe, Mr. Hopkins, Mr. Austin Gore, and Mr. Edward Covey. To a lesser degree, Douglass depicted patrols but alluded to the threat of finding him once he escaped slavery. Without describing them by name, Jacobs described some interactions with overseers and in-depth interactions with patrols during enslavement and her escape to freedom. Thus, Douglass's and Jacobs's narratives provide complementary and unique insights into overseers and patrollers.

Focusing on the micro-level, I examined Douglass's and Jacobs's perceptions and indirect and direct interactions with overseers and patrollers. After reading each narrative, I identified passages where enslaved people described overseers and slave patrollers. I examined each perception and interaction with overseers and patrollers, coding them as surveillance or violence. Specifically, I coded situations based on the author's insights. For example, when Douglass recounted a situation in which Mr. Gore shot and killed an enslaved man named Demby, I coded this as a violent situation. In contrast, I coded the situation where Douglass perceived Mr. Severe watching with his whip as surveillance and violence.

In the next round of analysis, I focused on how Douglas and Jacobs understood overseers' and patrollers' activities. Importantly, I included all variations in the analysis as Jacobs referred to patrols as "slave hunters" and "searchers," while Douglass described them as "legalised kidnappers" and "men-hunters." I created the following codes for Douglass's and Jacobs's perceptions of overseers' and patrollers' activities and functions: "watching and watchers," "whipping and the whip," and "searching and searchers." Each code accounted for the threats and consequences associated with watching, searching, and whipping. Subsequently, I consulted relevant literature

on surveillance and slavery, repeating this process with inductive reasoning.^{58,59}

Finally, I selected "scenes" that best illustrated the patterns the analysis revealed. For example, Hartman's⁴⁰ extensive study of slavery illuminates how a focus on the specific "scenes" and situations under slavery can provide novel insights into how the system operated. The following analysis focuses on each author's predominant perceptions of overseers as "watchers" who used "whipping" and patrollers as "searchers." However, the analysis revealed evidence of overseers searching for enslaved people and patrollers also watching and whipping them.^{6,15} This finding further supports the linkages between overseers and patrollers as kindred agents of forced confinement and control. Throughout the paper, I refer to slave patrols as patrollers to create an equivalent comparison between the overseer and slave patroller.

Watching and whipping: overseers and controlling plantation life

Frederick Douglass's and Harriet Jacobs's accounts demonstrate that overseers watched and whipped enslaved people to exert control. Douglass described how overseers combined watching through guard posts and surprise examinations that enforced plantation regulations. Through these experiences, Douglass detailed how overseers used physical and psychological coercion to control his body and behaviour.²³ Conversely, Jacobs identified how overseers whipped enslaved people on whipping posts and watched them through patrol rounds and examinations that assessed their suitability for labour and reproduction.^{47,48} Both Douglass and Jacobs revealed how hierarchical observation, normalising judgments, and race-making coalesced in overseers' examinations.^{25,20}

According to Douglass, overseers' institutionalised watching was structured through an alert-based system with the driver's horn and enforced with the threat of violence through the whip.^{4,16,18} For example, Douglass described a situation where an overseer named Mr. Severe watched enslaved people to regulate their behaviour: "Mr. Severe, the overseer used to stand by the door of the quarter, armed with a large hickory stick and heavy cowskin, ready to whip anyone who was so unfortunate as not to hear, or, from any other cause, was presented from being ready to start for the field at the sound of the horn" (62). In Douglass's view, Mr Severe watched and wielded a whip to signify his dual ability to use surveillance and violence to enforce compliance on plantations. The spatial design of plantations and labour expectations helped foster the surveillance Douglass depicted: "Labour provided the spatial framework of slaveholding surveillance: slaves were supposed to be in certain places at certain times."⁶⁰ Douglass conveyed how overseer named Severe combined watching and the threat of whipping to enforce enslaved people's compliance.

As he transitioned to a new plantation, Douglass described how an overseer named Mr Covey used whipping and watching to reinforce confinement and control. Initially, Douglass⁵³ defined Covey as an overseer with a well-known reputation: "Mr. Covey enjoyed the most unbounded reputation for being a first-rate overseer and negro-breaker" (78). In this description, Douglass depicted Covey as an adept supervisor and violator of enslaved Black people. For Douglass, Covey's reputation reflected personal experiences: "During the first six months of that year, scarce a week passed without his whipping me. I was seldom free of a sore back" (68). Under overseers' whip, enslaved people like Douglass "danced, trembled, babbled, lost control of their bodies," but enslavers were clear that overseers' whipping did not disable enslaved people.⁴ The violence Douglass experienced from

Covey also influenced Covey's watching techniques. As Douglass reported, Covey scrutinised enslaved people's plans for escape: "he would turn short and crawl into a fence-corner, or behind some tree, and there watch us till the going down of the sun" (68). In these brief but influential scenes, Douglass illustrated how Covey watched and whipped enslaved people to fortify plantation regulations along racial lines.

The watching that Douglass described also manifested through Covey's surprise examinations of enslaved people's working habits. Douglass identified how the secretive nature of Covey's watching instilled fear and self-control to meet labour regulations even in Covey's absence:

His work went on in his absence almost as well as in his presence; and he had the faculty of making us feel that he was ever present with us. This he did by surprising us. He seldom approached the spot where we were at work openly, if he could do it secretly. He always aimed at taking us by surprise. Such was his cunning that we used to call him, among ourselves, "the snake." When we were at work in the cornfield, he would sometimes crawl on his hands and knees to avoid detection, and all at once he would rise nearly in our midst, and scream out, "Ha, ha! Come, come! Dash on, dash!" This being his mode of attack, it was never safe to stop a single minute (68-9).

According to Douglass, the secrecy of Covey's examinations fostered his impression that Covey was omnipresent. Douglass also explained how Covey crafted a variable routine to ensure enslaved people felt he was ever-present:

His comings were like a thief in the night. He appeared to us as being ever at hand. He was under every tree, behind every stump, in every bush, and at every window on the plantation. He would sometimes mount his horse, as if bound to St. Michael's, a distance of seven miles, and in half an hour afterwards you would see him coiled up in the corner of the wood-fence, watching every motion of the slaves.⁵³

Douglass claimed that Covey's pervasive surveillance transformed him into a "a docile body," that constantly worked to meet plantation expectations.^{25,50} Douglass's experiences with Covey aligned with how "surveillance is permanent in its effects, even if it is discontinuous in its action..."²⁵ Control, thus, was predicated on Covey's ability to prevent Douglass "from knowing whether or not the inspection tower was occupied".²⁰ By ambushing Douglass, Covey used unexpected examinations to enforce rules that were central to plantation life.⁵⁵

In Jacobs' account, overseers used whipping and watching through examinations to control enslaved people. With a slaveholder Jacobs referred to as Mr. Litch's plantation, Jacobs detailed how an escaped enslaved man named James was captured, tied, and brought back to the plantation, where "the overseer should have whipped him to his satisfaction, to have him placed between the screws of the cotton gin, to say as long as he had been in the woods" (68). In doing so, Jacobs indicated how overseers performed disciplinary activities against enslaved people who attempted to escape enslavement. During James' confinement in the cotton gin, Mr. Litch sent the overseer to examine him: "The overseer was sent to examine into it. When the press was unscrewed, the dead body was found partly eaten by rats and vermin" (69). In this situation, Jacobs explained how overseers combined hierarchical watching and normalising judgments into examinations of a physically dead enslaved man.

Similarly, Jacobs defined overseers based on their watching of enslaved people during patrol rounds, where overseers enforced sexual relationships between enslaved people. Accordingly, Jacobs

specified how overseers' surveillance invoked racial, gender, and sexual violence.^{20,47,48,61} As Jacobs described, enslaved people had a strict schedule that the overseer enforced with patrol rounds: "When they had finished their daily toil, they must hurry to eat their morsels, and be ready to extinguish their pine knots before nine o'clock, when the overseer went his patrol rounds".⁵⁴ Overseers' patrol rounds were a watching technique they employed to ensure that enslaved people were in their required places. According to Jacobs, overseers' patrol rounds also enforced heterosexual reproduction:

He entered every cabin, to see that men and their wives had gone to bed together, lest the men, from over-fatigue, should fall asleep in the chimney corner and remain there till the morning horn called them to their daily task. Women are considered of no value, unless they continually increase their owner's stock (70).

From Jacobs's description, it is evident that overseers' observations were structured activities to enforce reproduction among enslaved people with sanctions for enslaved men when they did not perform as required. Specifically, Jacobs detailed how enslaved women's value was completely predicated on their ability to reproduce, indicating how sexual and reproductive labour was critical in sustaining slavery.^{39,40,47}

Through Douglass's and Jacobs's accounts, overseers' use of watching and whipping to confine and control enslaved people comes into sharper focus. From Douglass's perspective, guard posts and surprise examinations were opportunities for overseers to watch from above and judge whether their work complied with the plantation standard.^{20,25} Jacobs described overseers watching enslaved people to enforce reproduction according to the slaveholders' expectations.^{39,48} Overseers' watching, whipping and examination efforts provided slaveholders with knowledge, allowing deviations from physical and reproductive work standards to be identified, controlled, and disciplined. Douglass and Jacobs also revealed how overseers watched and whipped enslaved people to racialise them as property and nonpersons.^{5,20,24,40}

Searching for slaves and status: slave patrollers and controlling extra-plantation life

In their narratives, Douglass and Jacobs also conveyed how the threat of patrollers searching for escaped enslaved people achieved control over enslaved people. According to Douglass and Jacobs, patrollers searched to find formerly enslaved people and prevent enslaved people from escaping or revolting. Douglass implicitly introduced patrollers' searching by explaining how the threat of patrollers' searching restricted his ability to work, establish a living space, and build interpersonal relationships. In contrast, Jacobs explicitly identified how patrols searched enslaved people's living spaces, especially following large-scale rebellions.⁶ As a result, searches operated as examinations that served as central methods of control, allowing patrollers to observe and assess enslaved people and places according to standards for enslaved people. In searches, patrollers developed knowledge about enslaved people, exercised power and control over enslaved people, and constructed racial hierarchies.^{20,25}

Throughout Douglass's⁵³ account, he showed patrollers as the primary prevention mechanism from escaping enslavement. More specifically, Douglass underscored the placement of patrols in the woods as enforcing his confinement: "at every gate through which we were to pass, we saw a watchman—at every ferry a guard—on every bridge a sentinel—and in every wood a patrol. We were hemmed

in upon every side" (87). For Douglass, the multiple mechanisms of watchmen, guards, and patrols combined to create a feeling of complete confinement. However, the regulatory forces of watchmen, guards, and patrols did not preclude his escape efforts but shaped how Douglass developed a "fixed determination to run away" (88). Despite the extensive surveillance, Douglass escaped enslavement and became a fugitive slave living in a free state.

After escaping enslavement, Douglass arrived in New York in a free state, where the threat of patrollers' searching produced emotions such as fear and loneliness. Douglass explained how the threat of patrollers' searching for fugitive slaves shaped his inability to form interpersonal relationships: "I was afraid to speak to any one for fear of speaking to the wrong one, and thereby falling into the hands of money-loving kidnappers, whose business it was to lie in wait for the panting fugitive, as the ferocious beasts of the forest lie in wait for their prey" (107). For Douglass, patrollers used stealthy interactions with free Black people to capture fugitives. His anxieties were intensified by the sentiment that the Fugitive Slave Laws empowered patrollers to capture free Black people and formerly enslaved people:

Let him be a fugitive slave in a strange land—a land given up to be the hunting-ground for slaveholders—whose inhabitants are legalised kidnappers—where he is every moment subjected to the terrible liability of being seized upon by his fellowmen as the hideous crocodile seizes upon his prey! I say, let him place himself in my situation—without home or friends—without money or credit—wanting shelter, and no one to give it—wanting bread, and no money to buy it,—and at the same time let him feel that he is pursued by merciless men-hunters, and in total darkness as to what to do... (107; emphasis added).

Significantly, Douglass referred to patrollers as "legalised kidnappers," demonstrating how the Fugitive Slave Laws of 1830 and 1850 officially enabled patrollers to control the movements of enslaved people. Trepidation about patroller interactions was widespread, such that Douglass acknowledged that some free Black people protected each other from patrollers: "I found among them a determination to protect each other from the blood-thirsty kidnapper, at all hazards" (112). Douglass demonstrated how the threat of patrollers searching for fugitive slaves influenced his life after slavery.

In several scenes, Jacobs described patrollers' activities and functions as centrally related to searching. Jacobs recounted how patrollers planted evidence of insurrection on enslaved people and explained patrollers' primary function as searchers: "Coloured people and slaves who lived in remote parts of the town suffered in an especial manner. In some cases the searchers scattered powder and shot among their clothes, and then set other parties to find them, and bring them forward as proof they were plotting insurrection" (89). Crucially, Jacobs referred to patrollers based on the predominant activities they performed: searching. Jacobs also identified how patrols used searches as a pretext to inflict violence upon enslaved people: "The next day, the town patrols were commissioned to search coloured people that lived out of the city; and the most shocking outrages were committed with perfect impunity." (92). Organised by specific day and night shifts, patrollers created a pervasive surveillance around enslaved people: "The day patrol continued for some weeks, and at sundown a night guard was substituted" (93). As Jacobs made clear, patrollers employed searches in racialised ways that preceded violence and punishment.

Jacobs further explained how patrollers searched enslaved people's houses during conflicts that allowed patrollers to exercise racial authority. Following Nat Turner's rebellion, Jacobs explained

how poor whites were authorised to search enslaved people's living quarters: "I knew the houses were to be *searched*; and I expected it would be done by country bullies and the poor whites" (88). Jacobs further elaborated that searches were opportunities for poor whites to enforce their racial status and exercise their authority over the enslaved:

It was a grand opportunity for the low whites, who had no negroes of their own to scourge. They exulted in such a chance to exercise a little brief authority, and show their subserviency to the slaveholders; not reflecting that the power which trampled on the coloured people also kept themselves in poverty, ignorance, and moral degradation. Those who never witnessed such scenes can hardly believe what I know was inflicted at this time on innocent men, women, and children, against whom there was not the slightest ground for suspicion (88).

Importantly, Jacobs identified how searches allowed patrollers to construct their racial self-esteem and receive public deference despite their status as poor whites.⁵ She also asserted that patrollers' searches reflected slaveholders' power that also subordinated poor whites. For Jacobs, crises produced patrol searches that were a means for poor white patrols to define themselves based on their racial statuses.

Throughout Jacobs's experiences, she portrayed patrollers' searches as examinations that aggregated observation, judgments, and racial hierarchy. Jacobs explained preparing for patrollers to search her belongings to examine whether they were intending to revolt: "We were ready to receive the soldiers whenever they came. It was not long before we had the tramp of feet and the sound of voices. They snatched at everything within their reach. Every box, trunk, closet, and corner underwent a *thorough examination*" (90; emphasis added). In Jacobs' view, patrollers' searches were examinations where observations and judgments structured her living space and life. In an exchange between the patrollers and her grandmother, Jacobs described how searchers enabled patrollers to reinforce their racial statuses:

Where'd the damned niggers git all dis sheet an' table clarf? My grandmother, emboldened by the presence of our white protector, said, 'You may be sure we didn't pilfer 'em from your houses. 'Look here, mammy,' ... 'you seem to feel might gran' 'cause you got all them 'ere fixens. White folks oughter have 'em all (90).

As Jacobs relayed, patrollers' searches were social events where poor whites expressed their entitlement to property and possessions belonging to enslaved people. Consequently, Jacobs revealed how she understood patrollers' searches as expressions of the psychological wages of whiteness.^{5,37}

Douglass and Jacobs provided different but complementary perspectives on how slave patrollers operated under enslavement. Each of their narratives revealed that slave patrols used searching as a form of surveillance to exert control and reinforce confinement. Douglass's experiences underscored how the threat of patrollers searching for fugitive slaves created a sense of fear and loneliness. Jacobs's descriptions aligned with observations that slave patrollers were formed in response to slave revolts: "Policing in the southeastern states where slavery existed had a distinctive institution: the slave patrol. Because the white majority was so concerned about slave revolts (of which there were many), and runaway slaves, they created this new form of law enforcement".⁶² In addition, Jacobs showed how slave patrollers searches were examinations that integrated hierarchical observation, normalising judgment, and the social construction of race.^{20,25,50} Even after escaping enslavement, the existing Fugitive Slave Law sustained that free states like New York and Massachusetts

were renewed as sites of surveillance. For Douglass and Jacobs, their awareness of the fugitive slave laws on the books produced a threat of patrollers capturing them.

Discussion and conclusion

This article presents original findings and theoretical contributions regarding overseers and patrollers. First, the present article uses enslaved people's firsthand accounts to understand overseers and patrollers as law enforcement or "a staff of people" charged with using coercion to enforce compliance and avenge violations^{5,23,31} Thus, it extends theories of slavery as an institution of forced confinement by focusing on the agents tasked with enforcing confinement and control.^{2,3} Second, the findings show that surveillance was a critical mechanism overseers and patrollers used to control enslaved people, reinforcing racial statuses and hierarchies.^{5,20,25} In Douglass's and Jacobs's accounts, overseers primarily facilitated surveillance by watching and whipping enslaved people to control their bodies through labour exploitation and forced reproduction.^{5,47,48} Similarly, Douglass and Jacobs described patrollers as searching to restrict their movements, a threat that lingered after they escaped enslavement. This article demonstrates one way to assess overseers' and slave patrollers' roles as law enforcement is by exploring how enslaved people perceived overseers and slave patrollers in ways that reveal their activities and functions.³³

The present approach provides novel insights into the situational dynamics between enslaved people, overseers and slave patrollers, offering another way to understand how social control manifested through surveillance during slavery. Importantly, surveillance is part of a larger set of slavery's confinement and control techniques and operates differently based on the social context in which it is enacted. The current study provides a micro-level perspective that renews the focus on overseers and slave patrollers to understand the cultural context of colonial policing of enslaved people. The findings encourage scholars to renew the study of policing under chattel slavery toward enslaved people's perceptions and orientations during varying social situations. An additional body of research should explore in greater detail how enslaved people perceived overseers' and slave patrollers' activities and functions across social situations.

This article provides a situated account of overseers and slave patrollers that is significant given substantial studies argue that chattel slavery influenced the development of modern systems of policing, incarceration, and surveillance.^{2,31,5,13,20,35,21} Recent studies that compare colonial policing and modern-day police officers occasionally mention overseers.^{63,64} Several studies identify slave patrols as direct precursors to modern-day law enforcement.^{6,12,15,22,14,44,63,65} Slavery provided not one, but two templates of law enforcement and policing: overseers and slave patrollers.⁵ Thus, the findings demonstrate that overseers and slave patrollers are connected through similar activities and structural functions related to surveillance and violence that deserve further comparative exploration.^{20,25,33} By focusing on the syncretism between overseers and patrollers, scholars can create precise genealogies of policing and punishment that might further illuminate contemporary contexts.²¹

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Conflicts of interest

The author declares that there is no conflicts of interest.

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