

ORIGINAL ARTICLE

# The Sultans of Zanzibar and the Abolition of Slavery in East Africa

Michelle Liebst

History Department, University College London, London, UK  
Email: [m.liebst@ucl.ac.uk](mailto:m.liebst@ucl.ac.uk)

## Abstract

In 1890, Sultan Ali of Zanzibar declared in writing that “we wish by every means to stop the slave trade.” Statements like these, in addition to the actual passing of anti-slavery legislation, call into question the generally accepted scholarly understanding that the sultans of Zanzibar only agreed to pass and enforce anti-slavery legislation because they were under duress from European, mainly British, powers, who negotiated favorable political and economic benefits in return for (gradual) abolition. A close analysis of the sources tells a more complicated story of both collaboration and conflict between the Zanzibari sultans, their subjects, and the British agents. Moreover, each sultan had distinctive political and religious beliefs, as well as individual personal experiences and outlooks. This paper explores the anti-slavery legislation passed under three sultans of Zanzibar: Barghash bin Said (1870–1888) who prohibited the transport of slaves by sea in 1873, Ali bin Said (1890–1893) who passed the Slave Trade Prohibition Decree of 1890, and Hamoud bin Mohammed (1896–1902) who passed the Abolition Decree of 1897. By analyzing draft treaties and correspondence before and after the passing of legislation, this paper argues that the sultans and their advisors were not devoid of ideological interest in ending slavery; and that British agents and explorers in the region were too hastily hailed as abolitionists.

## East Africa and the Legal Abolition of Slavery

Understandings of abolitionism in Anglophone East Africa have shifted considerably since the legal abolition of the slave trade, and later, slavery. For most of the twentieth century, Britain was celebrated as a benevolent nation by virtue of the triumphant achievement of abolishing slavery not just in East Africa, but throughout its empire. This position was voiced clearly by the historian Reginald Coupland, who in 1939 commended abolition in East Africa as a “revival of the British humanitarian tradition” that justified British imperialism. According to him, “the British people had come to the rescue of the

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African people on the east of the continent as in earlier days on the west.”<sup>1</sup> In 1976, R. W. Beachey’s depiction of Britain’s role was much the same, though he dropped the congratulatory tone.<sup>2</sup> Contemporaneous with Beachey in the wave of postcolonial historical work critiquing empire, and as an African himself, Moses D. E. Nwulia carefully dismantled the fictions of British philanthropy by analyzing the regime’s sluggishly adopted antislavery policies.<sup>3</sup> Frederick Cooper’s 1980 study of Zanzibar and coastal Kenya went further to show not only that abolitionists were driven by economic rationale, but also that the emancipatory gains of the abolition laws were extremely limited.<sup>4</sup> More recently, Matthew Hopper, in his 2015 account of the Indian Ocean slave trade, highlighted the failings of the British Navy in enforcing the abolition laws, and explained that the end of the slave trade in East Africa was owed largely to global political and economic factors outside of British control.<sup>5</sup> Historians focusing on emancipation in the region, such as Felicitas Becker (mainland Tanganyika), Elizabeth McMahon (Pemba), Elke Stockreiter (Zanzibar), Patricia Romero (Lamu), and Marie-Pierre Ballarin (Mombasa) have also shown how, even if the abolition laws stopped slavery, they failed to end its systemic political, social, and economic effects, which meant that emancipation was—and to some extent still is—extremely difficult to grasp.<sup>6</sup>

As in almost every part of the world where slavery has ended, the abolition of slavery in East Africa is understood to be a European project or project of European imperialism. The scholarship therefore tells us that—though not all Europeans were abolitionists—all abolitionists were Europeans. These European abolitionists were, the scholarship also tells us, often ambivalent about abolishing slavery altogether and preferred to gradually limit and

<sup>1</sup> Sir Reginald Coupland, *Exploitation of East Africa, 1856–1890: The Slave Trade and the Scramble; with an Introduction by Jack Simmons*, 2nd ed. (London: Faber, 1968), 233; see also Sir Reginald Coupland, *East Africa and Its Invaders: From the Earliest Times to the Death of Seyyid Said in 1856* (Oxford: Clarendon, 1961). Even at the time, Coupland was not without critics, see Eric Williams, *Capitalism and Slavery* (Chapel Hill: University of North Carolina Press, 1944).

<sup>2</sup> Raymond W. Beachey, *A Collection of Documents on the Slave Trade of Eastern Africa* (London: Africa Book Centre Ltd, 1976); Raymond W. Beachey, *The Slave Trade of Eastern Africa* (London: Collins, 1976).

<sup>3</sup> Moses D. E. Nwulia, *Britain and Slavery in East Africa* (Washington, DC, USA: Three Continents Press, 1975).

<sup>4</sup> Frederick Cooper, *From Slaves to Squatters: Plantation Labor and Agriculture in Zanzibar and Coastal Kenya, 1890–1925* (New Haven: Yale University Press, 1980), 34–68.

<sup>5</sup> And, in any case, the decline of this slave trade in one area tended to act as a catalyst for a new slave trade elsewhere in the world. Matthew S. Hopper, *Slaves of One Master: Globalization and Slavery in Arabia in the Age of Empire* (Yale: Yale University Press, 2015).

<sup>6</sup> Felicitas Becker, “Common Themes, Individual Voices: Memories of Slavery around a Former Slave Plantation in Mingoyo, Tanzania,” in *African Voices on Slavery and the Slave Trade*, eds. Alice Bellagamba, Sandra E. Greene and Martin A. Klein, 2 vols (Cambridge: Cambridge University Press, 2013), II, 71–87; Elisabeth McMahon, *Slavery and Emancipation in Islamic East Africa: From Honor to Respectability*, African Studies (Cambridge: Cambridge University Press, 2013); Elke E. Stockreiter, *Islamic Law, Gender, and Social Change in Post-Abolition Zanzibar* (Cambridge: Cambridge University Press, 2015); Patricia W. Romero, “‘Where Have All the Slaves Gone?’ Emancipation and Post-Emancipation in Lamu, Kenya,” *The Journal of African History* 27, no. 3 (1986): 497–512; Marie-Pierre Ballarin, “L’esclavage en héritage et l’émergence d’une mobilisation sociopolitique au Kenya,” *Politique Africaine* 140, no. 4 (2015): 41–59.

control slavery and the slave trade. Yet East African leaders who were involved in the legal processes of abolition (writing, signing, and negotiating abolitionist acts, decrees, and treaties, in spite of their political and economic interests in keeping slavery going) are portrayed unambivalently as the obstacles to abolition. The problem with this narrative is not only that it is incorrect, but that it highlights how little we know about the history of African ideas and legal frameworks with regards to slavery and abolition. We need to find and explore examples of East Africans restricting, ending, and challenging the legitimacy of slavery through legal, economic, political, and cultural means. One place to start is with the East African power brokers who issued anti-slavery legislation; and the Sultans of Zanzibar are key examples of such authority figures as they signed and passed eleven anti-slavery treaties and decrees between 1856 and 1897.

As historians have largely neglected to closely analyze the role of the Sultans of Zanzibar in passing anti-slavery legislation, accounts that consider whether the Sultans might have willingly and collaboratively passed these laws are scarce. Throughout the historiography on anti-slavery legislation on the East African coast, there is a tendency to assume that the Sultans of Zanzibar were being coerced into developing anti-slavery policies.<sup>7</sup> There are only a handful examples of texts that highlight the role of the sultans in ending slavery. Bernard K. Freamon describes how during the reign of Seyyid Sa'īd bin Sultan (r. 1807–1856) groups of aristocratic Omani including many “*ulamā*” merchants, plantation owners, and the Sultan’s officials were beginning to form a consensus on limiting and ending slavery. The evidence for this appears to be limited to two facts: firstly, that Seyyid Sa'īd supported the legal measures to limit the slave trade and, secondly, that there is no evidence that the “*ulamā*” protested these actions. Freamon’s account suggests that a consensus might have been arrived upon, had it not been for the pro-slavery seafaring and physically threatening so-called “Northern Arabs” who were known for kidnapping enslaved persons in Zanzibar and integrating them into the slave trade.<sup>8</sup>

Meanwhile, William Clarence-Smith’s *Islam and Abolition* is unusual for implying that the sultans were passing the legislation of their own accord.<sup>9</sup>

<sup>7</sup> Patricia W. Romero, *Lamu: History, Society, and Family in an East African Port City*, Topics in World History (Princeton: Markus Wiener, 1997); Cooper, *From Slaves to Squatters*; Beachey, *A Collection of Documents on the Slave Trade of Eastern Africa*; Abdul Sheriff, *Slaves, Spices, & Ivory in Zanzibar: Integration of an East African Commercial Empire Into the World Economy, 1770–1873* (London: James Currey, 1987); Norman Robert Bennett, *A History of the Arab State of Zanzibar* (London: Methuen, 1978); Lewis W. Hollingsworth, *Zanzibar under the Foreign Office 1890–1913* (Athens: Ohio University Press, 1953).

<sup>8</sup> Bernard K. Freamon, *Possessed by the Right Hand: The Problem of Slavery in Islamic Law and Muslim Cultures, Possessed by the Right Hand* (Leiden: Brill, 2021), 426. In his general history of colonial Tanganyika, Lawrence Mbogoni offers a tangential argument that the sultans of Zanzibar up to 1873 were involved in the process of abolishing the slave trade and legal slavery in Zanzibar, though he understandably does not go into detail on this: Lawrence E. Y. Mbogoni, *Aspects of Colonial Tanzania History* (Dar es Salaam: Mkuki na Nyota Publishers, 2013), 171, <https://www.jstor.org/stable/j.ctvk3gmn8> (accessed November 3, 2020).

<sup>9</sup> William G. Clarence-Smith, *Islam and the Abolition of Slavery* (New York: Oxford University Press, 2006), 123–25.

He argued that, although most Sultans were opposed to passing anti-slavery legislation, Seyyid Ḥamūd bin Muḥammad (r. 1896–1902) did pass the 1897 abolition decree out of his own personal conviction. However, the evidence of this conviction is based entirely on how Seyyid Ḥamūd did not own slaves before coming to power. In reality, it might have been the case that there was no need for a prince to own slaves when they had ready access to those in the palaces. Moreover, Seyyid Ḥamūd's involvement with the drafting of the decree was limited to his insistence that concubines should be excluded from it (to which the British sympathized and eventually acquiesced).<sup>10</sup>

This article builds on the historiography by critically analyzing the role of Seyyid Ali bin Sa'īd (r.1890–1893) in the 1890 Abolition Decree. Although the 1890 decree, on which this article centers, was essentially a dead letter, the Seyyid's expression of support for anti-slavery legislation was uniquely explicit and has been entirely neglected by historical accounts. This article will explain how the decree was created by taking a lens to the events surrounding it, the relationships involved in it, and the language used in the draft and final versions. The latter part will explore the obstacles to the decree's enforcement and contextualize its amendments.

### Writing the 1890 Decree

The 1890 decree was the product of meetings between thirty-six-year-old Seyyid Ali and the forty-nine-year-old British Consul General of the time, Colonel Charles Bean Euan-Smith. Seyyid Ali was said to be the thirty-fourth of Sa'īd bin Sultan Al-Bū Sa'īdi's many children, most likely mothered by a Circassian or Ethiopian concubine.<sup>11</sup> Seyyid Ali was the fourth sultan of Zanzibar, following his brothers Majid, Barghash, and Khalifa. All these regents were the sons of Seyyid Said bin Sultan, who ruled the Empire of Oman. Following Seyyid Said's death, the empire was divided but the social, cultural, and economic connections between Oman and Zanzibar remained.

In an obituary dated March 1893, marking the end of his short reign, he was described as “a well-built man of pleasing appearance and affable manners.”<sup>12</sup> Little has been written about the Seyyid's personality, but he is never mentioned as partaking in the dramatic family succession politics, and in 1890 he came to power visibly self-assured.<sup>13</sup> Seyyid Ali's alliance with the British began early according to the White Fathers missionaries, who posited that

<sup>10</sup> Clarence-Smith, *Islam and the Abolition of Slavery*, 124–25. For Seyyid Ḥamūd's opinions on concubinage, see Mathews (on behalf of Sultan of Zanzibar) to Hardinge, Zanzibar, November 14 (telegram), UK National Archives, Kew, [hereafter, UKNA] 107/57; Sinclair no. 12, January 14, 1909, Zanzibar National Archives, [hereafter, ZNA] AB71/1.

<sup>11</sup> Inclosure no. 176 Genealogical Tree of the Sultans of Zanzibar, UKNA FO 107/57.

<sup>12</sup> “Death of Ali Bin Said and Proclamation of Sayyid Hamed Bin Thwain as Sultan of Zanzibar,” *The Gazette for Zanzibar and East Africa*, March 8, 1893, 42–43, UArch, A1 (4) B (Mallender journal).

<sup>13</sup> No. 63, Euan-Smith to Salisbury, Zanzibar, February 17, 1890, UKNA FO 84/2059. See also, for an account of two meetings between Mary French Sheldon and Seyyid Ali in April and March 1891: Mary French Sheldon, *Sultan to Sultan: Adventures Among the Masai and Other Tribes of East Africa* (New York: Saxon & Company, 1892).

he was “a man of the British since his youth” (*l’homme des anglais depuis sa jeunesse*). Upon the death of his older brother, Seyyid Khalifa, Seyyid Ali was the favored successor as far as Zanzibar’s inhabitants, and the British, were concerned.<sup>14</sup> As for Euan-Smith, he had a military background and first visited Zanzibar (and Muscat) in 1873 as a military attaché, accompanying Sir Bartle Frere in his special anti-slave-trade mission to Zanzibar. He returned in 1875 to work at the British consulate, and was later appointed consul at Muscat in July 1879.<sup>15</sup> He was likable, renowned for his ability to charm with his captivating after-dinner stories, and his “very small but very expressive,” “twinkling greyish-blue eyes.”<sup>16</sup> He became Consul-General in Zanzibar in 1888 and attempted a coup to depose the sultan at the time, Khalifa bin Said, in favor of Seyyid Ali.<sup>17</sup> After Colonel Euan-Smith left his Zanzibar post in March 1891, Seyyid Ali sent four parrots as a gift.<sup>18</sup> This was a personal gesture as Colonel Euan-Smith had owned parrots in Zanzibar, who were known for incessantly shouting his name (“Charlie”), much to the amusement of his visitors.<sup>19</sup>

Euan-Smith had accompanied Sir Bartle Frere on his 1871 mission to Zanzibar to induce Seyyid Barghash bin Sa’id to end the trade of slaves by sea, but the dynamic between Seyyid Ali and Euan-Smith was dramatically different. Colonel Euan-Smith stated Seyyid Ali’s willingness when explaining the first draft of the decree, which was put to Lord Salisbury in June 1890:

[...] the proposed decree is the outcome of many friendly conversations which I have had with the Sultan upon the general question of the outlook of slavery throughout His Highness’ dominions and which I have always prefaced with the remark that if I advised His Highness in the matter I did so only as his private friend and that I had no authority whatever from Her Majesty’s Government to make any proposals to him on the subject. No pressure of any sort has therefore been brought to bear upon him and the decree which he now proposes to issue is, as I honestly believe, the well-considered expression of his own opinion after consultation with me as to what he deems the most politic course to pursue in the best interests of his subjects and of himself.<sup>20</sup>

As far as the British agents were concerned, this was indirect rule at its finest. The appearance of an alignment in policy could benefit the British in two ways:

<sup>14</sup> February 14, 1890, Pères Blancs, GAMAfr, Diaries, Caravanes, Zanzibar, 1888–1904, 142. With thanks to Benedetta Rossi for this reference. A letter from 1887 also suggests that Seyyid Ali was fostering an alliance with the British: Mahommed bin Ahmed to HH Seyyid Khalifa, no date, ZNA AA5/19, f. 6.

<sup>15</sup> Thomas H. Sanderson, “Smith, Sir Charles Bean Euan-, (1842–1910),” in *Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004).

<sup>16</sup> Newspaper cutting, Oxford History Society, [hereafter, OHC], F1/6/6N.

<sup>17</sup> Bennett, *A History of the Arab State of Zanzibar*, 154.

<sup>18</sup> Seyyid Ali to Euan-Smith, May 25, 1891, OHC, F1/6/6C.

<sup>19</sup> Newspaper cutting, OHC F1/6/6N.

<sup>20</sup> No. 252, Euan-Smith to Salisbury, June 20, 1890, Zanzibar, UKNA FO 84/2062.

it would both help to make Zanzibar colonizable and strengthen the authority of Zanzibar's sultanate so that they could wield power through the sultan.

Seyyid Ali's approach to dealing with illegal slave trading and abuse toward slaves developed quickly over a short time. In one case from the consulate log-book, dated February 1890 (just two weeks into Seyyid Ali's reign), a junior officer wrote a note reminding Euan-Smith that nothing had been done to punish slave traders who had been involved in illegally capturing people, some from the Anglican mission in Pemba. The officer recommended sending a man of war and representative from the British consulate with "a strong letter." Euan-Smith replied in the following manner: "I concur but we are bound to give the new Sultan an opportunity of trying what his authority will do. Send Salim [bin Azan]<sup>21</sup> with a very careful and complete account of all to the Sultan."<sup>22</sup> The records tail off here, so it is unclear what action the Sultan took, but in May, upon the request of Colonel Euan-Smith, Seyyid Ali "severely punished" some slave traders operating in Pemba and issued a proclamation warning that anyone landing slaves in Pemba who also face severe punishment. Seyyid Ali also allowed the proclamation to be posted in Zanzibar's Custom House and distributed the proclamation amongst his officials in Pemba.<sup>23</sup>

In June 1890, Seyyid Ali demonstrated a marked interest in ending slavery. He insisted to Captain Hennesse, a Belgian agent who was pressing him for permission to enlist 400 Zanzibari porters to venture into the Congo, that:

We beg you, if possible, to engage free men and not slaves for if the Arabs send their slaves, by some means or other they try to buy other slaves in their place and so the slave trade is encouraged. The King [of Belgium] cannot know this but it is true and we wish by every means to stop the slave trade.<sup>24</sup>

This was some thirteen days prior to Euan-Smith's attendance at a public reception at the palace to make the announcement of the protectorate. Seyyid Ali received the announcement "with the most evident satisfaction" and requested that Euan-Smith send Lord Salisbury his special thanks and hopes of maintaining "the ancient bonds of friendship which had for so long existed between Great Britain and Zanzibar."<sup>25</sup>

In July, Seyyid Ali dismissed the *liwali* at Lamu who helped hide the activities of slave traders from the British and allowed an abused slave woman seeking protection to be recaptured by her slave master.<sup>26</sup> In the same month, without any apparent prompting from Colonel Euan-Smith, Seyyid Ali freed four slaves and fined their master for abusing and nearly killing one of them.<sup>27</sup> Each of

<sup>21</sup> Full name: Salim bin Azan bin Hajel Baloochi.

<sup>22</sup> February 27, 1890, ZNA AA12/12.

<sup>23</sup> No. 249, Euan-Smith to Salisbury, Zanzibar, June 17, 1890, UKNA FO 84/2062.

<sup>24</sup> This was mostly likely a translation by Salim bin Azan. Seyyid Ali to Captain Hennesse, Zanzibar, c. June 6, 1890, UKNA FO 84/2062.

<sup>25</sup> No. 68, June 19, 1890 (telegram), UKNA FO 84/2067.

<sup>26</sup> No. 302, Euan-Smith to Salisbury, Zanzibar, July 30, 1890, Zanzibar, UKNA FO 84/2062.

<sup>27</sup> No. 296, Euan-Smith to Salisbury, Zanzibar, July 21, 1890, UKNA FO 84/2062.

these acts of anti-slavery was public and together formed a decisive political approach designed to send a message that Seyyid was actively trying to limit slavery and the slave trade; not that he was being forced to do so simply because the sultanate relied so heavily on their British allies.

The Sultan agreed with Colonel Euan-Smith to issue the anti-slavery decree in June 1890. Toward the end of the month, Smith wrote to Lord Salisbury at the Foreign Office in London with draft ideas.<sup>28</sup> Both Seyyid Ali and Colonel Euan-Smith were eager to issue the decree before the public announcement of the British Protectorate (which took place on November 7 that year). This was Euan-Smith's reasoning:

The promulgation of the decree in Zanzibar before any official declaration has been made announcing His Highness' acceptance of British protectorate would tend to obtain for His Highness in Europe the full credit which he deserves and which moreover he is most earnestly desirous to receive, the belief or rather the hope that his action in this matter may obtain for him the goodwill of the people of England has I believe greatly stimulated him in his determination to take the important step to which he proposes now to commit himself. Moreover, the immediate publication of the decree would obviate the undesirable conviction which could not otherwise fail to take possession of the Arab mind, that the first step of Her Majesty's Government after assuming the Protectorate of the Sultanate of Zanzibar had been directed against their cherished institution of domestic slavery.<sup>29</sup>

Euan-Smith's words convey that abolition offered an opportunity for building strong diplomatic relations (at least momentarily), which goes against the usual narratives relating to the dynamics between Islamic power holders and British imperial agents in this era. However, it must also be said that this stance gave room for the blame to be placed with the Sultanate, rather than the British. It was a safe bet for the British; but not so for the Sultan.

On July 19, Lord Salisbury received a telegram from Euan-Smith requesting permission to issue the decree as soon as possible to quell the "growing disquietude among the Arabs" who feared for what might be in stall for them.<sup>30</sup> Some discussion in the Foreign Office seems to suggest that there was a preference to proclaim the protectorate and the anti-slavery decree together, reasoning that, "it would be better that we had the credit."<sup>31</sup> Yet, about a week later, Lord Salisbury instructed Euan-Smith to instruct Seyyid Ali to issue the decree, firmly in line with Salisbury's strategy for indirect control.<sup>32</sup> The Foreign Office in London demanded very little control over the wording of the decree. Euan-Smith wrote to Salisbury two days after the decree had been issued, notifying him what the main changes were from the draft

<sup>28</sup> No. 252, Euan-Smith to Salisbury, Zanzibar, June 20, 1890, UKNA FO 84/2062.

<sup>29</sup> No. 252, Euan-Smith to Salisbury, Zanzibar, June 20, 1890, UKNA FO 84/2062.

<sup>30</sup> No. 199, July 19, 1890 (telegram), UKNA FO 84/2069.

<sup>31</sup> *Ibid.*

<sup>32</sup> Telegram no. 84 Salisbury to Euan-Smith, July 27, 1890, UKNA FO 84/2067.



they had discussed several months prior. Euan-Smith casually explained that the published decree “differs somewhat as to its phraseology and as to the numbering of its clauses” and insisted that “the sense of the decree” was “exactly the same, though in some instances it has been strengthened by the addition of a few words.”<sup>33</sup>

Evidently, Seyyid Ali had been extensively involved in the creation of the 1890 decree, and cannot be said to have simply played the role of curtailing Colonel Euan-Smith’s abolitionist instincts as leading historical accounts would have us believe.<sup>34</sup> The precise rationale is more difficult to track. Certainly, Seyyid Ali had been told by Euan-Smith at least two years prior that voluntary action on his part would give him more leverage over the decree. Indeed, a letter from Euan-Smith to the Anti-Slavery Society in 1888 outlines Smith’s diplomatic strategy:

I have urged [the Arabs] to remember that [...] by a spontaneous offer on their part now to abolish slavery within these islands they may ensure for themselves generous terms and generous treatment at the hands of the English nation. A few more years delay may bring upon them absolute and undiluted ruin. All this is sinking into their minds. They are commencing to feel that on the question of slavery Zanzibar as a semi-civilised state occupies in the universe an absolutely isolated position.<sup>35</sup>

So, there were political gains to be had for Seyyid Ali by casting himself as an abolitionist. No doubt his early conversations with Euan-Smith secured his position as next in line for the sultanate. But strategic decisions are not the same as personal conviction, the latter being much more difficult to decipher. Here, we may turn to an account by the American explorer, Mary French Sheldon, whom Seyyid Ali invited to visit his harem circa March 1, 1891. Sheldon, who was in pursuit of a “passport” to explore the East African mainland, was unimpressed to learn that Seyyid Ali owned 142 concubines (despite each one of them presenting her with a ring as a gift, in addition to other lavish gifts). Perhaps sensing Sheldon’s displeasure, Seyyid Ali asked her if her husband had other wives; a question that was met with great indignation. At the end of the visit, Seyyid Ali asked Sheldon what she thought of it all, admitting that this was the first time he had shown a foreigner his harem. “With true American frankness,” she told him candidly that she thought it was “atrocious.” In response, “He said he would gladly renounce his harem, ‘But I should lose my Arab constituency.’”<sup>36</sup> These observations and comments speak

<sup>33</sup> No. 315, Euan-Smith to Salisbury, Zanzibar, August 3, 1890, UKNA FO 84/2063; No. 208, Euan-Smith to Salisbury, August 1, 1890, UKNA FO 84/2069.

<sup>34</sup> Fred Cooper wrote that the 1890 decree was “passed in the Sultan’s name.” Cooper, *From Slaves to Squatters*, 47. Fred Morton, similarly, noted in passing that “the 1890 decree was the result of the efforts of Charles B. Euan Smith.” Fred Morton, *Children of Ham: Freed Slaves and Fugitive Slaves on the Kenya Coast, 1873 to 1907* (London: Routledge, 1990), 175.

<sup>35</sup> Smith to Charles H. Allen (Secretary to the Anti-Slavery Society), Zanzibar, December 17, 1888, Bodleian Library, MSS. Brit. Emp. S.22/G3.

<sup>36</sup> Sheldon, *Sultan to Sultan*, 83–95.



volumes about the way that Seyyid Ali chose to position himself between Arab and British interests. Engaging with abolitionism and taking decisive action against slave traders may have been a way for him to signal to his subjects that he was not, unlike his predecessors, being forced by the British to end slavery. Yet, refusing to engage in concubinage, a practice that was legal until 1907 in the region, would have appeared a step too far.

Seyyid Ali's calculations may, equally, have been based on a close monitoring of the anti-slavery steps taken by other Islamic powers that had set an early precedent.<sup>37</sup> In 1841, justifying his decision by reference to Islamic law, the Ottoman regent in Tunisia, Ahmad Bey, shut down the public slave markets in Tunis and in 1846 he effectively abolished slavery within the regions under his jurisdiction.<sup>38</sup> A few years later, Sultan Abdulmejid abolished the slave market in Istanbul in 1847.<sup>39</sup> In Egypt, Mohamed Sa'id and, later, Isma'il instated a long string of anti-slavery prohibitions between the 1850s and 1870s.<sup>40</sup> So, there were many Islamic rulers who had advocated for abolition long before 1890. It may be that enough time had elapsed by this point for Seyyid Ali to see that there were advantages to abolition, that it could buy some leverage with the increasingly controlling British powers and perhaps even attract investors to balance the books of the increasingly struggling sultanate (Figure 1).

Seyyid Ali was, undoubtedly, trying to work out how abolition could fit into Zanzibari society. One of the most striking points about the content of the decree is that Seyyid Ali had "entirely spontaneously" made the suggestion in the first draft of the decree that: "The sultan binds himself by an immediate and subjectional reduction of the clove tax, which is now 30% ad valorem, to aid the Arabs to employ free paid labour for the cultivation of the estates." This would have costed thousands of pounds a year but equally would have freed up some of the plantation owners' capital to pay wages.<sup>41</sup> Citing concerns over the Sultan's income, it was Lord Salisbury who advised that the clause to do with repealing the clove tax should be scrapped.<sup>42</sup> Indeed, the wealth of the sultanate was not what it used to be, but Seyyid Ali most likely had in mind that the British government would subsidize this policy to make it affordable; given that it was they who had such great resources and it was they who were, it appeared, so intent on ending slavery.

<sup>37</sup> *List of Treaties signed by Foreign Powers for the Suppression of the Slave Trade, and of Laws issued for the Punishment of Slave Dealings, and for the Abolition of Slavery in their respective Dominions*, UKNA FO 541 33; Freamon, *Possessed by the Right Hand*, 395.

<sup>38</sup> Ismael M. Montana, *The Abolition of Slavery in Ottoman Tunisia* (Florida: University Press of Florida, 2013), 84–114; Freamon, *Possessed by the Right Hand*, 407. See also, Montana in this issue.

<sup>39</sup> Freamon, *Possessed by the Right Hand*, 397.

<sup>40</sup> Freamon, *Possessed by the Right Hand*, 397–400. If Seyyid Ali sought Zanzibar to be likened to Egypt then he succeeded, at least with regards to the opinion of the Anti-Slavery Society, who wrote that: "The step taken by the Sultan of Zanzibar would appear to place the question of Slavery very much in the position of that which it now holds in Egypt under the enlightened rule of H.H. the Khedive [...]" "Zanzibar," *Anti-Slavery Reporter*, August 1890, 141–85 (142).

<sup>41</sup> No. 252, Euan-Smith to Salisbury, June 20, 1890, Zanzibar, UKNA FO 84/2062.

<sup>42</sup> No. 84 Salisbury to Euan-Smith, July 27 (telegram), 1890, UKNA FO 84/2067.

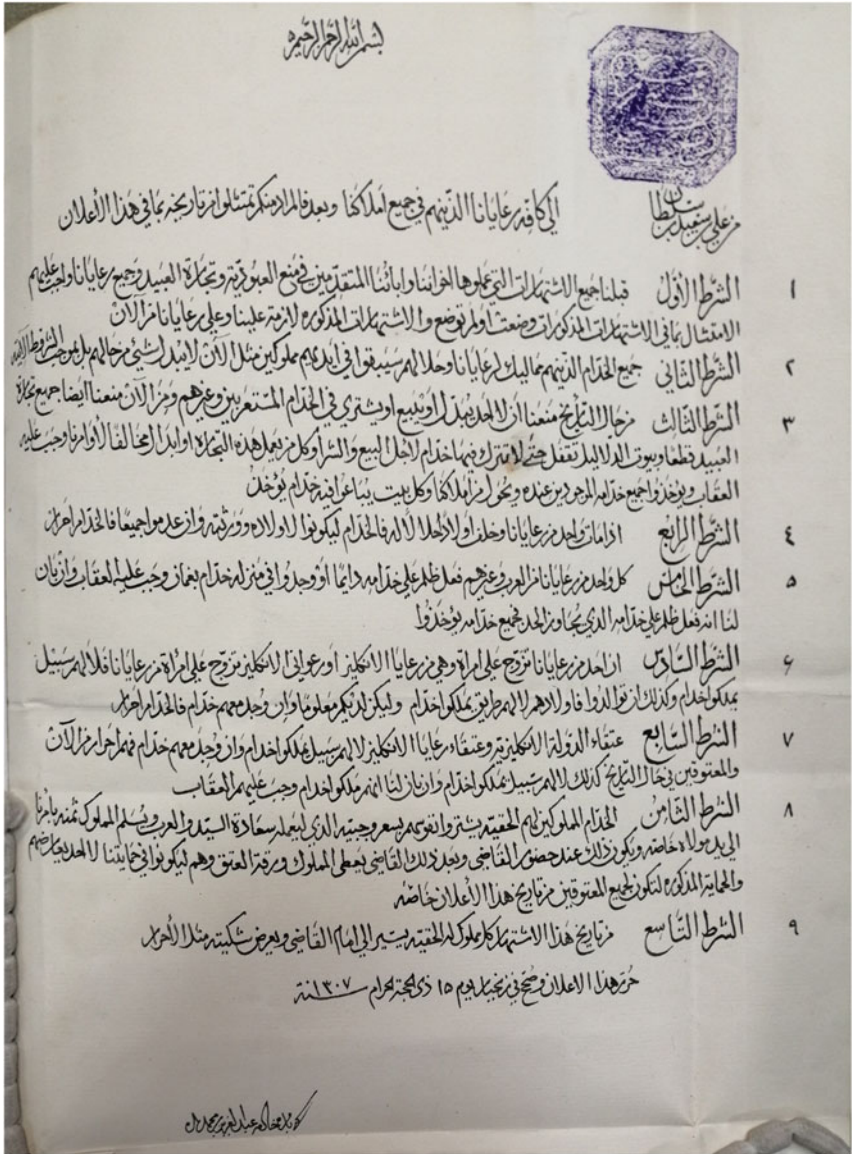


Figure 1. The original handwritten Arabic version of the 1890 decree, UKNA FO 93/116/7. Photograph by author and permission to reproduce this image for publication obtained from the UK's National Archives.

Clove tax aside, the English version of the decree reads as highly ambitious and implied a radical reform to Zanzibar’s courts system. It put an end to all slave trading in the Sultan’s dominions so that the only way a slave could be passed from one person to another was through inheritance (article 4).

However, a critical reading and re-translation of the Arabic decree (see appendices), prompts further questions about the terms used to describe “slavery.” The first Arabic word meaning “slave” used in the decree is “*abīd*,” which is the literal translation. However, in the remainder of the text, the term “*khādīm*” is used, which means something much more akin to “servant” and alludes to the keeping of household slaves, rather than those purchased to work on plantations.<sup>43</sup> This suggests that the eighth article, which allowed slaves to purchase their own freedom, may have represented a rather more subtle reform than in the English version. Regardless of the decree, manumission, which usually took place upon the death of the owner, was much more commonplace in the town than in the countryside, where slaves were working on financially critical plantations. For example, Seyyid Sa‘īd bin Sultan manumitted thousands of concubines, soldiers, domestics, and messengers, but his plantation slaves remained enslaved.<sup>44</sup> Seyyid Barghash bin Sa‘īd, too, ensured that all his “town slaves,”<sup>45</sup> who numbered more than 3,000, as well as the slaves in his army and the concubines in his harem, were freed upon his death.<sup>46</sup> Thus, if we are to take it that by “slaves” the decree applied to non-plantation slaves, then the eighth article only dictated that: now, non-plantation slaves could purchase their own freedom with the help of the *kadhi*, rather than wait for the possibility that their masters manumit them upon their deaths. This was barely a change as enslaved persons could already purchase their own freedom if they had their master’s permission. Given the discussion over *kadhīs* being designed for Muslims, this subtlety makes sense; at this point in Zanzibar’s history it would have been inconceivable for enslaved persons who were not Muslim (these were more likely to be found on plantations than in the town) to approach a *kadhi*.

A peculiar note about the translation of “*khādīm*” to “slave” is that it was characteristic to the translations of the British consulate’s head interpreter, Salim bin Azan. Even in cases when dignatries (who were clearly not slaves) signed their names as in English epistolary tradition, “I am your servant [name]” as a sign of respect, Salim opted to translate “*khādīm*” to “slave.” To so consistently translate the word “*khādīm*” as “slave” suggests that translation may have offered Salim a way to express the ideology that we are all in some

<sup>43</sup> Christine Stephanie Nicholls, *The Swahili Coast: Politics, Diplomacy and Trade on the East African Littoral, 1798–1856* (London: Allen and Unwin, 1971), 29; Jan Knappert, “A Short History of Zanzibar,” *Annales Aequatoria* 13 (1992): 15–37 (17); Fahad Ahmad Bishara, *A Sea of Debt* (Cambridge: Cambridge University Press, 2017), 78–79. In 1873, British sailor, Captain Colomb, noted that “There is in Zanzibar no distinction between ‘slave’ and ‘servant,’... the same word is used for both.” It is unclear if Colomb was referring to Swahili or Arabic, but does at least suggest that language around slavery could be easily manipulated. Captain Philip Howard Colomb, *Slave-Catching in the Indian Ocean: A Record of Naval Experiences* (London: Longmans Green and Co., 1873), 368.

<sup>44</sup> Frederick Cooper, *Plantation Slavery on the East Coast of Africa* (New Haven: Yale University Press, 1977), 243.

<sup>45</sup> The English translation of the will used this particular phrase, “town slaves.” No. 56, Euan-Smith to Lord Salisbury, Zanzibar, April 7, 1888, FO 84/1906, UKNA.

<sup>46</sup> Laura Fair, *Pastimes and Politics: Culture, Community, and Identity in Post-Abolition Urban Zanzibar, 1890–1945*, Eastern African Studies (Athens; Oxford: Ohio University Press; J. Currey, 2001), 117.

way enslaved. Whatever the reasoning for his choice of words, his translation flattened the meaning of slavery and softened the implications of the decree.

Perhaps the most ambitious provisos were numbers eight and nine, which gave enslaved persons the legal right to be heard by the Islamic judges. The following section will, therefore, explain what the legal ramifications were and provide context around the *kadhis* and their relationship to Zanzibar's sultanate.

### Anti-Slavery Policies in the Courts

Prior to the establishment of Zanzibar as the capital of the Omani empire, the Sultan's son Khalid and the Sunni and Ibadi *kadhis* held outdoor sessions after every afternoon prayer at the town's fort gates. Sunni Muslims were the majority in Zanzibar and they followed Shafi jurisprudence. The ruling Omani elite were, by contrast, Ibadi, following Shari'a law.<sup>47</sup> After Seyyid Said moved the capital to Zanzibar in 1840, he declared that he was the judge of any cases that could not be resolved by the *kadhis*, and moved the physical location of the *kadhis* closer to the palace to what became known as "*Uwanjani chini ya Mnara*" (roughly translated from Swahili: "the spot near the minaret/tower").<sup>48</sup> In 1845, the Seyyid ruled that verdicts had to follow his own school of law, Shari'a. Customary law was more often employed in the rural parts of the island as elders, esteemed persons, and headmen of local communities (not *kadhis*) functioned as lawgivers. Moreover, legal scholars and authorities were independent from political authority and so were often outside of the sultanate's control.

Seyyid Barghash, who fiercely supported the Ibadi revivalist movement in Zanzibar, institutionalized Shari'a tribunals throughout the island, appointing local governors to manage districts and appoint *kadhis*. Barghash increased the salary and status of *kadhis*, which helped to promote their status, while also drawing them closer to his authority. As the British increasingly encroached upon Barghash's authority, finding influence within a field of competing Omani factions in the legal sector was important. Barghash was also noted for spending several hours a day hearing legal cases.<sup>49</sup> Although Barghash was intent on applying Shari'a law throughout his territories, interpretations of Shari'a law were contextual and adaptable.<sup>50</sup> During Seyyid Khalifa's reign, Zanzibar's legal system took a different, more violent shape in which executions by judgment of the sultan became common and, in many cases, it seems that judgments were left to the sultan's military.<sup>51</sup>

Shari'a law was a holistic sociolegal concept designed to, as Stockreiter puts it, "perpetuate and improve the social order by mediating conflicts rather than punishing individuals, a characteristic of the modern nation-state."<sup>52</sup> Only if all

<sup>47</sup> Stockreiter, *Islamic Law, Gender, and Social Change*, 27–28.

<sup>48</sup> *The Jurisdiction of the Sultan of Zanzibar and the Subjects of Foreign Nations*, trans. by Katrin Bromber (Würzburg: Ergon, 2001). The author of this text is unknown; as is the date of writing, although it is likely to be c.1890.

<sup>49</sup> Stockreiter, *Islamic Law, Gender, and Social Change*, 31–34.

<sup>50</sup> Stockreiter, *Islamic Law, Gender, and Social Change*, 2–3.

<sup>51</sup> Part XII of Bromber.

<sup>52</sup> Stockreiter, *Islamic Law, Gender, and Social Change*, 2.

mediation efforts failed would they issue a judgment. Stockreiter argues that the *kadhis* were designed to serve freeborn Muslims.<sup>53</sup> By virtue of the 1890 decree, slaves could in theory approach a *kadhi* to make a case for emancipation on the grounds of being treated with “flagrant cruelty” or they could purchase their freedom for a price agreed by their master and the *kadhi*.<sup>54</sup> Crucially, previous anti-slavery decrees issued by Zanzibar’s sultans had not involved the *kadhi* at all. Drawing the *kadhis* into the abolition process was a novelty that may have been the true source of the slave owning elite’s consternation that will be discussed in the following section. Indeed, slaves had previously been excluded from litigation on the assumption that they were not Muslims because the *kadhis* were specifically designed for Muslim communities.<sup>55</sup>

It is not known whether (Muslim) slaves successfully litigated in court prior to 1890, nor whether any slaves (Muslim or not) approached the *kadhis* by citing the 1890 decree as the *kadhis* did not keep records until 1900, the year after the British issued a decree to keep court records.<sup>56</sup> If they did approach the *kadhis* it is likely that they did not find much favor there, as even after the abolition decree of 1897, which was highly effective and accompanied by a complete reform of the judicial system, the *kadhis* were not always welcoming to the enslaved.<sup>57</sup>

While there is no evidence that enslaved persons approached the *kadhis* specifically invoking the 1890 decree, the Anti-Slavery Reporter reported in March 1892 that there had been increases in instances of slaves approaching Europeans for help.<sup>58</sup> When enslaved persons, or recently freed slaves, approached the consulate complaining of mistreatment by their (in some cases, former) masters, they were usually directed to Seyyid Ali, who ensured they were freed and punished the owners, according to Euan-Smith.<sup>59</sup> There are few records that exist to verify this but the White Father records report that on one occasion, the Sultan helped a slave master claim back two slave children via one of his officers, claiming he was doing a good deed as they were “abandoned children” who he had the responsibility of looking after.<sup>60</sup>

<sup>53</sup> Increasingly, former slaves converted to Islam and used the court to fight for socioeconomic mobility. The *kadhis* did not make it easy for them as they “started to use ethnicity as distinguishing marker to protect their elitist status in the C20.” Stockreiter, *Islamic Law, Gender, and Social Change*, 10–11.

<sup>54</sup> For an account of the 1890 decree and its impact in Pemba, see McMahon, *Slavery and Emancipation in Islamic East Africa*, 77.

<sup>55</sup> Stockreiter, *Islamic Law, Gender, and Social Change*, 10–11, 27.

<sup>56</sup> Stockreiter, *Islamic Law, Gender, and Social Change*, 6.

<sup>57</sup> Stockreiter, *Islamic Law, Gender, and Social Change*, 10–11, 21; McMahon is similarly skeptical that the *kadhis* facilitated the litigation of the enslaved: Elisabeth McMahon, “Trafficking and Reenslavement: The Social Vulnerability of Women and Children in Nineteenth-Century East Africa,” in *Trafficking in Slavery’s Wake: Law and the Experience of Women and Children in Africa*, eds. Benjamin N. Lawrance and Richard L. Roberts (Athens: Ohio University Press, 2012), 29–41 (36).

<sup>58</sup> “Slavery in Zanzibar,” *Anti-Slavery Reporter*, March 1892, 119.

<sup>59</sup> No. 424, Zanzibar, November 1, 1890, UKNA FO 84/2065.

<sup>60</sup> The White Fathers’ astonishment was palpable: “*Hypocrite! Ici encore sous le pavillon britannique, malgré tous les traités et toutes les lois, l’esclavagisme est donc tout puissant et se pratique au grand jour sous forme de bonne œuvre!*” September 24, 1892, Pères Blancs, GAMAFr, Diaires, Caravanes, Zanzibar,



It might be argued that the *kadhis* would refuse to emancipate enslaved persons on the grounds of the 1890 decree because they wanted to protect the practice of manumission. Historian Yacine Daddi Addoun, in his reflection on Islamic thought in relation to abolition, argues that abolition was unthinkable because it forfeited the chance of eternal salvation offered by manumission, which had to be voluntary on the part of the master.<sup>61</sup>

The finer points about litigation, as well as the translation issues, were likely to have been, to many, inconsequential, given that Zanzibar was by and large an illiterate Swahili-speaking island excluded from the *kadhi* system. Enslaved persons spoke various languages from the East African hinterland if they were newly captured, and they spoke Swahili if they had lived on the coast for some time. Word of the decree must have spread to the enslaved, even if only from stolen snippets of conversation between Arab masters, or from Christian missionaries who worked with ex-slaves, who in turn may have passed the news on to the enslaved. Although the use of the term “*khādim*” and the fact that the decree was issued only in English and Arabic must have diluted the force of the decree, it was still met with significant objection. The following section explores these possibilities, and explains how the decree was issued and promulgated, while also explaining the fracturing of Seyyid Ali’s authority within and beyond the island of Zanzibar.

### Promulgating the Decree

The decree was meant to apply throughout the Sultan’s dominions, including the Zanzibar archipelago and 10-mile strip of coastline of what is now Tanzania and Kenya. At the time, the coastal strip of what would become Kenya had been leased by the Imperial British East Africa Company (IBEAC) since 1887. The coastal strip of what would become Tanzania, on the other hand, had been administered by the German East Africa Company (Deutsch-Ostafrikanische Gesellschaft, DOAG) since April 28, 1888. Naturally, the first of these places to hear of the decree was Zanzibar town. On July 31, the day before the decree was issued, it was shared in a *baraza* (council meeting) with leading members of the Arab community in Zanzibar. Euan-Smith was under the impression that the decree was understood and accepted without difficulty: “the Arabs then present declared that they saw little to object to, the knowledge that their present slaves would not be taken away from them apparently giving them the greatest satisfaction.”<sup>62</sup>

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1888–1904, 171. Some days later, on September 28, they visited the children, who appeared to be enjoying the advantages of living in the palace, which they were allowed to enter in and out of freely. With thanks to Benedetta Rossi for this reference.

<sup>61</sup> Yacine Daddi Addoun, “Slavery and Abolition in Ibadi Theology: The Thought, the Un-Thought, the Unthinkable,” in *Ibadi Theology. Rereading Sources and Scholarly Works*, ed. by Ersilia Francesca (Hildesheim: Georg Olms Verlag, 2015); Yacine Daddi Addoun, “‘So That God Frees the Former Masters from Hell Fire’: Salvation Through ManuMission in Ottoman Algeria,” in *Crossing Memories*, eds. Paul E. Lovejoy, Mariana P. Candido and Ana Lucia Araujo, The Harriet Tubman Series on the African Diaspora (New Jersey: AFRICA WORLD PRESS, 2011), 297.

<sup>62</sup> No. 317, Euan-Smith to Salisbury, Zanzibar, August 1, 1890, UKNA FO 84/2063; FO 800/894.

On the same day, six slave-trading offices were shut down in Zanzibar town. Euan-Smith and one of the Sultan's unnamed officials went along a few hours after their evacuation to ensure no one was still there and they found the rooms abandoned.<sup>63</sup> According to Euan-Smith, these and other Arabs who learnt of the decree:

[...] began to understand that the entire abolition of slavery and the emancipation of all slaves must eventually be the inevitable outcome of the Decree should its provisions be strictly carried out; but they hope that such a result will not be arrived at for many years, and, in the meantime, they trust to fate to do the best that may be possible for them under the circumstances. The fear of a compulsory general emancipation has passed away for the time being, and their feeling of present relief is so great as to minimise their anxiety for the future.<sup>64</sup>

On August 1, Seyyid Ali sent Euan-Smith a letter formally notifying him that the decree was to be issued, which gave the impression that the Sultanate had been planning to limit slavery for quite some time and were now autonomously affecting it:

We desire to inform you, my friend, that for a long time we have had in our mind the question of the slavery that exists in our dominions, and what we could reasonably do with regard to it. And now, my friend, we have decided to issue a Decree which shall be binding upon all our subjects throughout our dominions, and we send copies in Arabic and English of such Decree herewith for your information, and with the request that you will be good enough to communicate its contents to your high Government.<sup>65</sup>

Similar letters were sent to other foreign consuls, but the Sultan did not receive support for his decree from the French or the German administrations, whom he and Euan-Smith accused of having incited Arabs to violently oppose the declaration.<sup>66</sup>

The decree, which can be read in full in the appendices, was most fully promulgated in Zanzibar town, where it was posted in the Custom House and other public places.<sup>67</sup> Predictably, it was met with resistance. Late in the afternoon on August 1 the decree was published and there was some "excitement" in the town.<sup>68</sup> A few days later on August 4, twenty armed men (identified as being of Comoro ethnicity) charged into Zanzibar's custom house and tore down

<sup>63</sup> Ibid.

<sup>64</sup> No. 317, Euan-Smith to Salisbury, Zanzibar, August 1, 1890, UKNA FO 84/2063; FO 800/894.

<sup>65</sup> Inclosure 2, the Sultan of Zanzibar to Colonel Euan-Smith, Zanzibar, August 1, 1890, No. 317, Euan-Smith to Salisbury, Zanzibar, August 1, 1890, UKNA FO 84/2063; FO 800/894.

<sup>66</sup> No. 332, Euan-Smith to Salisbury, Zanzibar, August 14, 1890, UKNA FO 84/2063; No. 220 August 14 (telegram), 1890, Zanzibar, UKNA FO 84/2069.

<sup>67</sup> No. 315 Euan-Smith to Salisbury, Zanzibar, August 3, 1890, UKNA FO 84/2063.

<sup>68</sup> No. 332 Euan-Smith to Salisbury, Zanzibar, August 14, 1890, UKNA FO 84/2063.



the decree. Seyyid Ali, who was furious, had the decree replaced immediately and the disturbance was quelled within an hour, and managed to catch at least some of the perpetrators. Seyyid Ali suggested to Euan-Smith that their right hands should be cut off, but Euan-Smith dissuaded him, and advised that “a good flogging” would suffice.<sup>69</sup> Both Seyyid Ali and Euan-Smith were confident that this outburst was simply the expression of some “lower classes,” that presumably did not have any power to compromise the impact of the decree. Seyyid Ali insisted that the “leading Arabs” were “quite contented” with the decree.<sup>70</sup>

On August 9, the French Consul reported that there was talk of conspiracies against both Euan-Smith and the Sultan. Euan-Smith discussed these rumors with the Sultan, and both agreed they did not believe them to hold any weight. However, later that day at the Sultan’s afternoon *baraza*, he appeared to have changed his mind. The Sultan announced to the room that there was a conspiracy against his life. Then, he half drew his sword from its sheath and declared himself ready for attack. The audience reacted to his performance by crowding around him to plant kisses on his robes and feet, assuring him of their allegiance.<sup>71</sup> It was on the same day and that the Sultan issued a proclamation, approved by Euan-Smith, to clarify the meaning of article 8, which reads in the English translation as follows:

Be it known to all our subjects that our decree of 15 El Hej, this year 1307, which is now in force and must remain in force, shall not be the cause of bad behaviour or disobedience on the part of lawful slaves towards their masters. Be it known to all that slaves who shall run away without just cause or otherwise behave badly shall be punished as before according to justice and if necessary they shall be brought before us for punishment. Let this known to everybody.<sup>72</sup>

Some days prior, Euan-Smith had written to Sir Francis de Winton (governor of the IBEAC’s possessions) under the Sultan’s instructions to explain that the decree should not be taken as an opportunity for slaves to escape “legitimate discipline,” emphasizing that “moderate reasonable punishment when necessary” was still entirely lawful. Euan-Smith added that there was some danger of the slaves getting “big heads.” Euan-Smith himself had added the quotation marks—which suggests that this phrase, or at least the words used to translate this phrase, may have belonged to the interpreter, Salim bin Azan.<sup>73</sup> On August 15, the Sultan, perhaps feeling assured that the disturbances around the decree had completely dissipated afforded by the August 9 proclamation, held a sumptuous feast at the palace in which the Queen’s letter of congratulations for his anti-slavery efforts was read aloud.<sup>74</sup>

<sup>69</sup> Ibid.

<sup>70</sup> No. 211, August 4, 1890, UKNA FO 84/2069.

<sup>71</sup> No. 332, Euan-Smith to Salisbury, Zanzibar, August 14, 1890, UKNA FO 84/2063.

<sup>72</sup> Inclosure in No. 332, Euan-Smith to Salisbury, Zanzibar, August 14, 1890, UKNA FO 84/2063.

<sup>73</sup> Euan-Smith to de Winton, August 4 (telegram) copied in no 326 Euan-Smith to Salisbury, Zanzibar, August 11, 1890, UKNA FO 84/2063.

<sup>74</sup> No. 335, Euan-Smith to Salisbury, Zanzibar, August 15, 1890, UKNA FO 84/2063.

The decree had a much more defiant reception along the Kenyan coast territory that was leased by the IBEAC. In addition to the flimsiness of the sultan's sovereignty and legal authority over this region, the IBEAC had already facilitated the emancipation of fugitive slaves and recently decreed absolute freedom in perpetuity to fifteen ethnic groups that had been targeted by slavers.<sup>75</sup> On August 2, twenty copies were sent through Euan-Smith to Sir Francis de Winton, governor of the IBEAC, to reach the ports along the entire British coastline with the instructions that pains should be taken to "carefully explain" its contents to the Sultan's subjects.<sup>76</sup> Much to Seyyid Ali's astonishment and chagrin, the British administration had still failed to publicize the decree beyond the IBEAC stronghold of Mombasa.<sup>77</sup> In Malindi, word of the decree got out not by the means of the British agent based there (who was instructed to hold off on promulgating it), but by a letter sent directly from the Sultan, which was read out by the *liwali* to the town's "wazee" (elders).<sup>78</sup> De Winton was reluctant to promulgate the decree and wrote to Euan-Smith advising that it should be modified, pleading in one of his frantic letters to Euan-Smith that "we must not withhold justice from the owner."<sup>79</sup>

De Winton was acutely concerned with the risk of slave owners heavily invested into plantations falling into debt if they were to lose their slaves, even fearing that some would "starve."<sup>80</sup> De Winton had given leading Arab slave traders and owners hope that the decree would be modified, but there was still rumor that a rising against the IBEAC would occur.<sup>81</sup> He also added some instructions not provided by Euan-Smith. Firstly, he specified that "You will make it quite clear to the leading Arabs that the Co. are equally desirous for their welfare as well as for that of the slaves." Secondly, he wrote that the English translation should be cut off, explaining that, "This will make it appear as if it were, as it is, an order direct from the Sultan, and not as having emanated from the Company."<sup>82</sup> In some later correspondence, de Winton requested that the Sultan send his own special envoys to the British coast to promulgate the decree. However, Euan-Smith worried that it would most injuriously affect the prestige and the influence of the "Company." He therefore "deemed it wise not to mention [this suggestion] to His Highness."<sup>83</sup> This reflects how both the British, and the Zanzibari Sultanate for that matter, had divergent and changeable interests in demonstrating their ownership of the decree.

<sup>75</sup> No. 338, Euan-Smith to Salisbury, Zanzibar, August 16, 1890; No. 339, Euan-Smith to Salisbury, Zanzibar, August 16, 1890, UKNA FO 84/2063.

<sup>76</sup> No. 317, Euan-Smith to Salisbury, Zanzibar, August 1, 1890, UKNA FO 84/2063; FO 800/894.

<sup>77</sup> No. 220 August 14 (telegram), Zanzibar, UKNA FO 84/2069.

<sup>78</sup> Mr Bell Euan-Smith to Sir Francis de Winton Malindi, August 21, 1890, UKNA FO 84/2064.

<sup>79</sup> No. 317, Inclosure no. 6, de Winton to Euan-Smith, August 6, UKNA FO 84/2063.

<sup>80</sup> Inclosure no. 8, de Winton to Euan-Smith, Mombasa, August 7, UKNA FO 84/2063.

<sup>81</sup> No. 331, Euan-Smith to Salisbury, Zanzibar, August 14, UKNA FO 84/2063.

<sup>82</sup> Inclosure no. 6, de Winton to Euan-Smith, Zanzibar, August 6, UKNA FO 84/2063; Inclosure no. 9, de Winton to Euan-Smith, August 5, UKNA FO 84/2063; de Winton to RT Simons Mombasa, August 5, 1890.

<sup>83</sup> Inclosure no. 11 in no. 1, de Winton to Euan-Smith, Mombasa, August 11, FO 84/2063.

On August 21, Seyyid Ali's advisor and political envoy, Hamid bin Suliman, arrived at Mombasa, supposedly to promulgate the decree.<sup>84</sup> However, he issued a second amendment to the decree, which severely undermined the eighth and ninth articles:

Be it known to all men our subjects, with reference to what I wrote on the 15th El Haj (August 1), and put up in the Custom-house:

If any slave runs away from his master, or does anything wrong, punish him as before. If any slave does great wrong, kills any one, or steals, send him to the Liwali, who will punish him. You will see it and be pleased.

If any slave brings money to the Kadi to purchase his freedom, his master will not be forced to take the money.<sup>85</sup>

It took at least a year for the Foreign Office in Britain to become aware of this second proclamation.<sup>86</sup> Euan-Smith, on the other hand, received word of it from De Winton a day after it had been issued and he wrote back furiously stating that:

The Sultan, to whom I communicated your message, and myself both fail to understand the statement as to letter regarding forced sale except master is willing. His Highness states Hamid bin Suliman instructed promulgate decree literally without any alteration or modification whatever. With regard to discipline among slaves I telegraphed to you concerning this desire of Sultan on 4th instant. Hamid bin Suliman will be answerable to Sultan for any action or statement prejudicing any position of decree.

Seyyid Ali might not have expected Euan-Smith to promulgate the decree in Mombasa; it was unprecedented and at this point the Sultan's authority there was particularly tenuous. De Winton's fears of outright rebellion on the Kenyan coast were well-founded. Yet, if Seyyid Ali had explained to Euan-Smith that the decree would hold no weight in Mombasa, it would surely weaken the agreements to make Zanzibar a British Protectorate, and indeed depreciate the value of the sultanate in the long run. To maintain the illusion of his absolute authority beyond the islands of Zanzibar, Seyyid Ali had to put on a brave face and demonstrate consternation any time he was faced with dissent. If Hamid bin Suliman could meet with the Arab leaders in Mombasa and deal with the matter quickly and quietly, they may have stood a chance of maintaining their position on both sides. This strategy worked to some extent as there were no more reports of dissidence in Mombasa. Yet, while Seyyid Ali retained an appearance of acquiescence to Euan-Smith, the latter abruptly stopped mentioning the Seyyid's great desire for abolition.<sup>87</sup> By this point,

<sup>84</sup> De Winton to Euan-Smith, Mombasa, August 21 (telegram), UKNA FO 84/2064.

<sup>85</sup> De Winton to Euan-Smith, Mombasa, August 22 (telegram), UKNA FO 84/2064.

<sup>86</sup> No. 28 British and Foreign Anti-Slavery Society to Salisbury, London, May 6, 1892, UKNA FO 300/29; *The Anti-Slavery Reporter* (London: The Society, 1969), 72.

<sup>87</sup> No. 28 British and Foreign Anti-Slavery Society to Salisbury, London, May 6, 1892, UKNA FO 300/29; *The Anti-Slavery Reporter* (London: The Society, 1969), 72.

Euan-Smith finally expressed doubts that the Sultan's authority was strong enough to enforce it, and he suggested drawing up a treaty with Seyyid Ali to make him responsible for doing so, though this was never done.<sup>88</sup>

From the perspective of the British consulate, the response to the 1890 decree seemed quieter along the German coastline, though the Germans showed no interest in publicizing the decree.<sup>89</sup> Euan-Smith was unaware until some weeks later that Suleiman bin Nasr al-Lemki, the recently-instated *wali* of Bagamoyo (the largest coastal town in the DOAG possessions), had in fact travelled to Zanzibar on August 5 to assure merchants that they could still trade in Bagamoyo, thereby luring them, their wealth and influence, away from Zanzibar. Suleiman was a descendant of an Omani family close to the ruling dynasty and among the wealthiest of the Pangani planters.<sup>90</sup> He had also been working covertly for the Germans prior to 1888 and collaborated with them for many years thereafter.<sup>91</sup> It is unclear whether Suleiman made the same verbal assurances to slave owners in Bagamoyo as he did in Zanzibar, but it seems likely. These assurances were wrapped up in German plans to force Seyyid Ali to accept complete cessation of the territories DOAG was leasing. The pressure for cessation had started in late June 1890, when Seyyid Ali was presented with an offer of two million marks and the threat of further compensation for war losses if he delayed to reply. Seyyid Ali had refused, and stood up to the pressure with the remark, "Is my kingdom like a camel that is bargained for and sold in a few minutes?"<sup>92</sup>

With the abolition decree promulgated and ruffling feathers across the East African coastline, and with the DOAG possessions being on the cusp of full cessation on the part of the Sultan of Zanzibar, it may well have appeared that Bagamoyo could compete with, or even take, Zanzibar's critical economic place in the East African region on account of being free of British pressure to abolish slavery. With all this in mind, it was particularly alarming to the sultan's sovereignty that on September 6 this unsigned proclamation was issued in Bagamoyo:

It is hereby made known to all that to every one holding land in Bagamoyo or in Shenzi (three or four days' journey around Bagamoyo) we give permission to recover possession of and retain slaves, and every slave owner has permission to sell his slaves to the people of Bagamoyo, though it is forbidden to send slaves by sea. We wish the *shamba* [farm] owners to begin without delay the cultivation of their *shambas*, as this will rebound to the advantage of the inhabitants and the town.<sup>93</sup>

<sup>88</sup> No. 350, September 1, 1890, UKNA, FO 84/2064.

<sup>89</sup> Around September 20, an Arab slave owner passed away and his slaves were sold at auction with the supervision of a German official. "Slave-Trading in High Places," *The Scots Observer*, September 20, 1890, 448–51.

<sup>90</sup> Jonathon Glassman, *Feasts and Riot: Revelry, Rebellion, and Popular Consciousness on the Swahili Coast, 1856–1888*, Social History of Africa (Portsmouth, NH: London: Nairobi: Dar es Salaam: Heinemann; James Currey; EAEP; Mkuki Na Nyota, 1995), 83.

<sup>91</sup> Glassman, *Feasts and Riot*, 7–8.

<sup>92</sup> Ali to German Consul, June 28, 1890, in Euan Smith to F.O., July 1, 1890, UKNA FO84/2070.

<sup>93</sup> October 22, 1890, newspaper cutting, OHS F1/6/6N.

The document was not signed but the name of Acting Governor of Bagamoyo, Lieutenant Perban, was written upon it.<sup>94</sup> The Germans initially denied any involvement with the proclamation, despite being very clearly intent to severely punish the persons responsible for telling the British about the proclamation.<sup>95</sup> They shrugged it off as a “sorry effort” (“*machwerk*”) on the part of an unnamed private Arab individual to further their trading interests. However, the Germans later stated that the proclamation was written by Suleiman bin Nasr and had been submitted to the German administration; it had been filed away and never formally sanctioned.

Suleiman bin Nasr admitted that he did write a draft of a proclamation, which he submitted to the district chief for authorization.<sup>96</sup> In London, the recipients of Euan-Smith’s report could not have been more puzzled, jotting down that: “The evidence that the proclamation was issued under German orders does not appear to be strong.” Another replied, “it could hardly be stronger.” Lord Salisbury underlined the difficulty of designating any authorship to it, noting that “Col. Smith saw no one who himself had seen the proclamation and no one apparently proposes to have any signature to it.”<sup>97</sup> While the Germans denounced the Bagamoyo proclamation, they did not post any of the copies of the Decree in any part of the DOAG territory. Hindsight does not afford us a more conclusive answer, especially seeing as both the Arabs and Germans had an interest in undermining Seyyid Ali’s decree.<sup>98</sup> It may be tempting to conjecture that this was all an attempt to promote Bagamoyo as the new economic capital of East Africa, but Suleiman bin Nasr did not seem to see it in those terms. His statement, dated September 21, 1890, explained that the town’s labor force had largely disappeared owing to the unrest of the 1888 uprising, and food production was desperately low, which in turn was forcing townspeople to pay higher supplies to import from Zanzibar. Granted, Suleiman was making this statement in diplomatic circles, but his concerns were no doubt founded.<sup>99</sup> Moreover, Bagamoyo was unique amongst the coastal towns in terms of having suffered a colossal loss of labor during the 1888 uprising; and it must also be noted that proclamations such as this were not issued in any other parts of the DOAG coastline.<sup>100</sup>

The Bagamoyo proclamation did not just threaten the efficacy of anti-slavery decree of August 1, but, Seyyid Ali feared, his own authority as Sultan in the eyes of the ruling Arab elite.<sup>101</sup> The Sultan wrote to the Queen

<sup>94</sup> No. 390, Euan-Smith to Salisbury, September 25, UKNA FO 84/2064.

<sup>95</sup> No. 379, Euan-Smith to Salisbury, September 15, 1890, UKNA FO 84/2064.

<sup>96</sup> Statement of Wali Soliman ben Nassur, 21/9/1890, ZNA AL2 48/1; German Consul General to Euan-Smith, September 18, 1890, UKNA FO 84/2064; No 379, Euan-Smith to Salisbury, September 15, 1890, UKNA FO 84/2064.

<sup>97</sup> No. 379, Euan-Smith to Salisbury, September 15, 1890, UKNA FO 84/2064.

<sup>98</sup> Jan-Georg Deutsch, *Emancipation without Abolition in German East Africa, c.1884-1914* (Oxford: James Currey; Ohio University Press, 2006), 179.

<sup>99</sup> Statement of Wali Soliman ben Nassur, 21/9/1890, ZNA AL2 48/1.

<sup>100</sup> Steven Fabian, *Making Identity on the Swahili Coast: Urban Life, Community, and Belonging in Bagamoyo*, African Identities: Past and Present (Cambridge: Cambridge University Press, 2019), <https://doi.org/10.1017/9781108590853>.

<sup>101</sup> No. 379 (Euan-Smith to Salisbury, September 15, 1890, UKNA FO 84/2064).

on September 15 to solicit her help and put pressure on the German government, but the telegram was not sent.<sup>102</sup> Word of the controversies around the decree had spread to the British Isles, prompting one journalist to observe that, “his German neighbours have turned the good deed against [Seyyid Ali] in a most surprising way.”<sup>103</sup> Seyyid Ali’s decree, in combination with the debacle over the Bagamoyo proclamation, secured the loss of his mainland dominions to the Germans in the same month. On September 25, 1890, Seyyid Ali bitterly accepted the sum of four million marks, double the original offer but still a very low sum for the cessation of the territories DOAG had been leasing.<sup>104</sup> The legal implications of Seyyid Ali’s decree were, therefore, only really felt in Zanzibar.

On Pemba, the effects were particularly negligible. In 1895, Pemba’s Vice Consul D.R. O’Sullivan-Beare attempted to enforce the 1890 decree in Pemba, but found that slave owners were “baffled” by his attempts and claimed they had little or no knowledge that trading slaves was illegal.<sup>105</sup> In fact, they may well have been right that trading plantation slaves was still legal, given that the decree employs the term “*kadim*” rather than “*abd*” and the majority of enslaved persons in Pemba worked on plantations. As discussed, enslaved persons were unlikely to get a hearing under *kadhis* anywhere in the Sultan’s dominions, they had to approach the Sultan, by way of the British consulate, to claim freedom invoking the 1890 decree.

Against all odds, this decree, in addition to the 1889 decree passed by Seyyid Khalifa, increased in importance over time, especially after enslaved persons could apply for emancipation as per the 1897 abolition edict. The 1889 and 1890 decrees were essential here because they determined the eligibility of the owners to claim compensation (funded by the Zanzibar Government) for their emancipation. Despite many British officials arguing that the abolition of slavery should follow suit with the process taken in India, i.e., that slave owners should not be compensated, Lord Salisbury disagreed. He argued that the second clause of the 1890 decree recognized the legal right of slave owners to own slaves and therefore he believed that compensation must be paid to anyone owning slaves that had been purchased prior to 1890 decree. The article to which Salisbury was referring to in the 1890 decree was as follows: “We declare that, subject to the conditions stated below, all slaves [*khuddām*] lawfully possessed on this date by our subjects shall remain with their owners as at present. Their status shall be unchanged.” Owners of certain categories of slaves were therefore given a guarantee of the uninterrupted possession of their lawful property and they had argued that this clause must be retained.

<sup>102</sup> Seyyid Ali to Queen of England, September 15, 1890, UKNA FO 84/2064; Sir H. Ponsonby to Marquis of Salisbury, September 15, 1890, UKNA FO 881/6105.

<sup>103</sup> “Slave-Trading in High Places.”

<sup>104</sup> No. 393, September 29, 1890; No. 394 September 29, 1890; No. 388, September 25, UKNA FO 84/2064. 4,000,000 marks was equivalent to 200,000 pounds sterling at the time.

<sup>105</sup> Hardinge September 10, 1896, ZNA AC9/2; November 24, 1896, February 18, 1897, ZNA AC9/12. Cited by McMahon, *Slavery and Emancipation in Islamic East Africa*, 48. McMahon does also note that Pemba escaped much of the enforcement of the anti-slavery legislation; Sullivan-Beare attempted to address this issue during his vice consulship by enforcing the 1890 decree.

It seems to them [the slave owners] impossible, with any show of reason, to argue that while the disabling clauses of the decree are to remain in perpetual operation, the enabling clause was only intended to remain effective until rescinded by a later Decree. No later Decree can cancel the rights which were publicly guaranteed by the Sovereign of the state, under the authority and sanction of the British Government; and no change or growth of public opinion in Great Britain can justify the repudiation of a pledge which was given with the knowledge and at the instance of the British Representative.<sup>106</sup>

The earlier decrees also set limits on who could apply for compensation. So, if an enslaved person applied for freedom any time after 1897, their owners would not be entitled to compensation if they had (a) treated the enslaved with cruelty, (b) purchased them after 1890, or (c) if the enslaved person was born after January 1, 1890. These earlier decrees also had the potential to bolster claims to emancipation by concubines who were not strictly allowed to be emancipated until 1909.<sup>107</sup> It was impossible to predict how much compensation would cost because estimates of the number of legally held slaves varied between 7000 and 70000. It was, Salisbury decreed, the Zanzibar Government who should foot the bill, but that financial aid from the British Government may be possible if required.<sup>108</sup>

## Conclusion

On November 7, 1890, the British flag was hoisted in front of the Sultan's palace and the Sultan's battery and HMS *Boadicea* fired salutes at noon, thereby making the protectorate public knowledge in Zanzibar.<sup>109</sup> References to the decree by this point fall away from the correspondence. Euan-Smith relocated to Morocco in March 1891. Seyyid Ali was clearly disappointed at Colonel Euan-Smith's sudden departure, writing to him that:

I am sincerely sorry even if you were raised to the highest dignity I was considering that even if you were offered a post in the Cabinet of London you would not prefer in place of your brilliant post at Zanzibar on account of our mutual sincere friendship and amity [...] I shall always hold on to my friendship with you. I shall not forget you for ever.<sup>110</sup>

In another letter, Seyyid Ali reminded Euan-Smith of his promises to protect his financial interests, writing: "allow me to inform you that our income of

<sup>106</sup> Salisbury to Hardinge, No. 1. February 10, 1897, "Instructions to Mr. Harding respecting Abolition of Legal Status of Slavery in Island of Zanzibar and Pemba," Parliamentary Paper, Vol. 62, C.8394.

<sup>107</sup> No. 81, Cave to Landsdowne, Zanzibar, October 2, 1902, UKNA FO 2/584.

<sup>108</sup> Salisbury to Hardinge, No. 1. February 10, 1897, "Instructions to Mr. Harding respecting Abolition of Legal Status of Slavery in Island of Zanzibar and Pemba," Parliamentary Paper, Vol. 62, C.8394.

<sup>109</sup> No. 443, Zanzibar, November 7, 1890, FO 84/2066.

<sup>110</sup> Seyyid Ali to Euan-Smith, April 2, 1891, OHC F1/6/6C.



the customs in these days is much reduced, when you were here it was not so, what we receive now from the customs is not sufficient even for our monthly payments.”<sup>111</sup> Seyyid Ali was rapidly losing control. One of the British Consul Generals, Renald Rodd, reported to the Foreign Office in 1893 that Seyyid Ali had come to a meeting to try and fight his corner, nervously reading from a pre-prepared script taken from his pocket, only to lose yet another fight against the British colonial officials.<sup>112</sup> Despatches from the later Consul Generals, Sir Gerald Portal and Sir Renald Rodd, confirm that the relationship between him and the British agents had soured significantly as he tried to retain his power and finances while increasingly struggling with his own health. Relations were further strained as Sir Lloyd Mathews tightened his hold over Zanzibar’s administration.<sup>113</sup> While Seyyid Ali was at one time a close ally of the British, his distrust of them and other Europeans is perhaps most acutely illustrated by his refusal to be seen by any European doctors when struggling with heart failure, which took his life in March 1893.

This article has sought to contextualize and critically analyze Seyyid Ali’s 1890 decree, which has to date received so little historical attention even though no other sultan came so close to championing the abolitionist cause. One thing is clear: we must not assume that African power holders were the only or the greatest obstacles to achieving abolition. Evidently, European agents were reluctant to promulgate and enforce the anti-slavery decree, just as much if not more than “Arabs.” Seyyid Ali, like the British and other European powers, recognized the political advantages of positioning oneself as an abolitionist. But abolition could be a “hazardous thing to attempt” (as a Scottish newspaper put it in an article about the decree) as in this case in which it tested the authority of rulers under threat of deepening colonization.<sup>114</sup> For Seyyid Ali, it costed him everything. Meanwhile, British control over abolition dramatically loosened for several years after the passing of the decree and the daily struggles of enslaved persons seeking emancipation persisted.

The sultans of Zanzibar, especially Seyyid Ali (r. 1890–1893), were abolitionists in the sense that they engaged in political action aimed at bringing about the legal and actual suppression of slavery and the slave trade.<sup>115</sup> This is not to say that Seyyid Ali was not under intense duress to produce some kind of anti-slavery decree, but he had a say in what shape that decree would take.<sup>116</sup> At the same time, both he and the British administration had an interest in showing

<sup>111</sup> Seyyid Ali to Euan-Smith, May 25, 1891, OHC F1/6/6C.

<sup>112</sup> January 1893, UKNA FO 107/7.

<sup>113</sup> No. 8, Rodd to Salisbury, January 7, 1893, UKNA, FO 107/2. See Pouwels for an excellent summary: Randall L. Pouwels, *Horn and Crescent: Cultural Change and Traditional Islam on the East African Coast, 800–1900* (Cambridge: Cambridge University Press, 2002), 164.

<sup>114</sup> “Slave-Trading in High Places.”

<sup>115</sup> Cf. Benedetta Rossi, “Introduction: The Abolition of Slavery in Africa’s Legal Histories,” *Law and History Review*, 42, no. 1 (2024): 13.

<sup>116</sup> As Frederick Cooper put it in relation to the subject of colonial encounter: “Recognition of the much greater power of the Europeans in the colonial encounter does not negate the importance of African agency in determining the shape the encounter took.” Frederick Cooper, “Conflict and

that Seyyid Ali was willing to issue this edict and that the edict came directly from him, not the British. Therefore, even though the sultans of Zanzibar were usually under an enormous amount of diplomatic pressure from the British to issue anti-slavery edicts, they used these moments to try to shape the way that abolition would come about. In other words, just because they were left with little option but to (slowly) end slavery does not mean that they did not influence the content, communication, pace, and enforcement of the edicts. In addition, abolition served colonial political interests while, for local power holders, engaging with abolitionism usually involved a much higher degree of risk. When local power holders, such as Seyyid Ali, engaged in abolitionism, their actions came at a great political, economic, social, and personal cost.

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**Michelle Liebst** is a postdoctoral research fellow at the History Department at University College London. She completed her doctorate at the University of Cambridge and is the author of “Labour and Christianity in the Mission,” which was published in 2021 by James Currey.

## **Appendix I: Transcription of English Version of the Anti-Slavery Decree, August 1, 1890, UKNA FO 93/116/7**

### **Decree of the Sultan of Zanzibar, in the Name of God, the Merciful, the Compassionate**

The following Decree is published by us, Seyyed Ali bin Sa’id, Sultan of Zanzibar, and is to be made known to, and to be obeyed by, all our subjects within our dominions from this date:

*Decree.*

1. We hereby confirm all former decrees and ordinances made by our predecessors against slavery and the slave trade and declare that, whether such decrees have hitherto been put in force or not, they shall for the future be binding on ourselves and on our subjects.
2. We declare that, subject to the conditions stated below, all slaves lawfully possessed on this date by our subjects shall remain with their owners as at present. Their status shall be unchanged.
3. We absolutely prohibit, from this date, all exchange, sale, or purchase of slaves, domestic or otherwise. There shall be no more traffic whatever in slaves of any description. Any houses heretofore kept for traffic in domestic slaves by slave brokers shall be for ever closed, and any person found acting as a broker for the exchange or sale of slaves shall be liable, under our orders, to severe punishment and to be deported from our dominions. Any Arab, or other of our subjects, hereafter found exchanging, purchasing, obtaining, or selling domestic or other slaves shall be liable, under our orders, to severe punishment, to deportation, and the forfeiture of all his slaves. Any house in which traffic of any kind in any description of slave may take place shall be forfeited.

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Connection: Rethinking Colonial African History,” *The American Historical Review* 99, no. 5 (1994): 1516–45, <https://doi.org/10.2307/2168387>.

4. Slaves may be inherited at the death of their owner only by the legitimate children of the deceased. If the owner leaves no such children, his slaves shall ipso facto become free on the death of their owner.
5. Any Arab, or other of our subjects, who shall habitually ill-treat his slaves, or shall be found in the possession of raw slaves, shall be liable, under our orders, to severe punishment and, in flagrant cases of cruelty, to the forfeiture of all his slaves.
6. Such of our subjects as may marry persons subject to British jurisdiction, as well as the issue of all such, marriages, are hereby disabled from holding slaves, and all slaves of such of our subjects as are already so married are now declared to be free.
7. All our subjects who, once slaves, have been freed by British authority, or who have long since been freed by persons subject to British jurisdiction, are hereby disabled from holding slaves, and all slaves of such persons are now declared to be free. All slaves who, after the date of this decree, may lawfully obtain their freedom are for ever disqualified from holding slaves under pain of severe punishment.
8. Every slave shall be entitled, as a right, at any time henceforth to purchase his freedom at a just and reasonable tariff to be fixed by ourselves and our Arab subjects. The purchase-money on our order shall be paid by the slave to his owner before a Kadi, who shall at once furnish the slave with a paper of freedom, and such freed slaves shall receive our special protection against ill-treatment. This protection shall also be specially extended to all slaves who may gain their freedom under any of the provisions of this Decree.
9. From the date of this Decree every slave shall have the same rights as any of our other subjects who are not slaves, to bring and prosecute any complaints or claims before our Kadis.

Given under our hand and seal this 15th day of El Hej 1307 at Zanzibar [August 1, A.D. 1890],  
(Signed) Ali-bin-Sa'īd, Sultan of Zanzibar.

## Appendix II: Modern Translation of the Arabic Decree<sup>117</sup>

In the Name of God, the Most Gracious the Most Merciful

Sultan 'Alī ibn Sa'īd ibn

To all our subjects in all of our possessions: what is desired of you is to follow exactly, from this day forth, what is in this proclamation.

The First Proviso: We accept all the declarations that were made by our brothers and fathers before us in outlawing slavery and the trade in slaves [*abīd*]. It is enjoined upon all our subjects to follow the declarations thus cited be they imposed or not. The announcements thus cited are henceforth enjoined upon you and upon our subjects.

The Second Proviso: All slaves [*khuddām*]<sup>118</sup> who are owned by our subjects and their households will remain in their hands, owned as they are now. Nothing will change regarding their situation except as is laid out in the following provisos.

The Third Proviso: From this date [onwards] we forbid anyone to exchange, sell, or purchase slaves whether of Arab descent [*muta'arribīn*] or not. As of this day we also completely outlaw all trade in slaves and the *buyūt al-dalālīl* [slave trading houses] will be locked up so that no slaves are left inside to be bought and sold. All who engage in this trade or exchange against our orders

<sup>117</sup> This translation was carried out by Dr Paul Naylor in 2021. A further translation by Ziddy Issa, an Arabist specialist of Zanzibar, in 2023 clarified some issues requiring more specific knowledge of the language on the island. Both translators offered comments and discussion on the text, with great appreciation from the author.

<sup>118</sup> In the previous paragraph, the term used was 'abīd, which is the standard way to refer to an enslaved person. Here and in the remainder of the document the term used is *khādim-khuddām*, which is more like "servant."

will be punished and all slaves found with them will be confiscated and transferred to our possession. Any house in which they sell slaves will [likewise] be confiscated.

The Fourth Proviso: If one of our subjects dies and leaves behind legitimate children, the slaves will then belong to his children and his wives<sup>119</sup> and if none of these exist then the slaves are free.

The Fifth Proviso: Any of our subjects, whether Arab or not, who regularly does injustice [*fa'ala zulm*] to his slaves or raw slaves [*baghmān*] are found in his house he must be punished. If it comes to light that that he has mistreated his slaves exceeding the bounds (?) then all his slaves will be confiscated.

The Sixth Proviso: If any of our subjects should marry a woman who is an English subject, or should an Englishman marry a woman who is one of our subjects, they cannot own slaves. Likewise, if they should produce children their children have no legal means to possess slaves. If they are found possessing slaves, the slaves are free.

The Seventh Proviso: Manumitted persons [*utaqā*] freed by the English nation and manumitted persons freed by English subjects are not to own slaves. If slaves are found with them, they are henceforth freemen. Manumitted persons from this date likewise have no legal means to own slaves and if it appears to us that they possess slaves, they must be punished.

The Eighth Proviso: Owned slaves have the right to buy themselves at a suitable price which His Excellency and the Arab [owner?] will set. The owned [slave] will settle the amount [then we will recompense?] his owner directly. This will take place in the presence of a judge. After that, the judge will give the owned slave a manumission paper [*waraqat al-'itq*] and they will be under our protection with no protestation from any party. The aforementioned protection will be for all manumitted persons from the date of this proclamation.

The Ninth Proviso: From the date of this announcement, every owned [slave] has the right to go before a judge and present his complaint in the manner of a freeman.

This proclamation was signed and ratified in Zanzibar, 15 Dhū al-Hijjah 1307 [August 2, 1890]  
Written by 'Abd al-'Azīz ibn Muḥammad<sup>120</sup>

<sup>119</sup> The word "wives" is difficult to decipher. The transcription of the nineteenth-century version refers only to children, not wives.

<sup>120</sup> The name of the scribe. He writes his signature in a flourish with overlapping letters, etc., in the same calligraphic style as the Sultan's name.

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