
Legal Histories of the British Empire

Laws, engagements and legacies

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'A slave trade jurisdiction'

Attempts against the slave trade and the making of a space of law (Arabo-Persian Gulf, Indian Ocean, Red Sea, circa 1820–1900)

Guillemette Crouzet

In 1870, a British diplomat described the campaign led by the British against the slave trade in the Persian Gulf as follows:

I gather that the English and the better class of Indian merchants, our own fellow subjects, hold distinctly that the Slave Trade and legitimate commerce cannot hope to prosper side by side, that, either, the action of the slave dealers will succeed in killing all proper mercantile instincts and effort, or, that legitimate commerce will develop in proportion as arrangements to put a stop to the slave trade are energetically carried out.¹

The 'crusade' against the slave trade was of considerable importance not only to the history of British imperialism in the Gulf, but also to the framing of British imperialism in the nineteenth century.² Despite this, the Gulf has been neglected both by historians of the abolitionist process³ and also by those writing on the historiography of the British Empire.⁴ However, a careful study of the abolitionist 'moment' in the Gulf suggests that the space of the Gulf can be conceptualized as a laboratory for the later British action against slavery, one which sat at the intersection between the international, macro- and micro- regional levels. This moment demonstrates the role and the action of Britain as an emerging global power whose intervention went beyond Gulf frontiers to encompass other zones, including Africa, the Arabian Peninsula and the Ottoman Empire.⁵ By intervening in the Gulf, Britain reinforced her status and role in the region later known as the Middle East. The imperial discourse against the slave trade and the measures taken in the Gulf and in neighbouring zones illustrate the emergence of Britain as a world power and the development of a messianic interventionism in the early nineteenth century.⁶ Policies against slave trading, forged in part in the Gulf, came to underpin the 'global' humanitarianism that emerged in Britain in the nineteenth century.⁷ Imperialism, abolitionism and the birth of a maritime law met in the Gulf.

In order to shed light on the importance of the Gulf as a space of law, this chapter draws on recent work in historical geography.⁸ As a space of law, the Gulf

appears as a 'centre of calculation',⁹ in the British struggle against the slave trade. This space was in part constructed by its interconnections across the globe, including with British India, Central Asia, the Ottoman Empire, the Arabian Peninsula, East Africa and South East Asia. British policy with respect to the slave trade in the Gulf was specific to that region. It was not framed in London on the basis of pre-existing concepts and policies, but adapted to the regional context. In British imperial discourse, a space of 'legal trade' and of peace was supposed to replace the sea of illegal trafficking in the Gulf. This was to be achieved through the creation of a 'legal space' constructed and governed through treaty alliances and maritime patrols.

Britain's anti-slavery policies and the construction of a space of law in the Gulf and the Indian Ocean marked a second stage of the assertion of British rule in this region. Initially focused on combating piracy, particularly between 1805 and 1820,¹⁰ the 1820s to 1880s saw a consolidation of gains made. From 1840 onwards, the British signed new treaties with the sheikhs of the Gulf, including those of the so-called 'Pirate Coast' (Kuwait, Qatar and Bahrain), and with the Imam of Muscat. After 1880, the Gulf and the Indian Ocean emerged as a transnational space of law, the 'British Lake' in which British cruisers patrolled. From 1820 onwards Britain built the 'maritime boundary of the Indian Empire',¹¹ a frontier that formed part of the strategic artery protecting the Raj. This process only comes to an end at the beginning of the twentieth century. Of course, this is not to say that British rule, and British abolitionist policy, was not resisted. The Gulf can be seen as both a space of law and a space of resistance. Within the Gulf were spaces that resisted the imposition of foreign and British rule, where the slave trade continued to be carried on and where traffic in arms flourished. Such spaces of resistance could be found in the Gulf, in ports, in small cities and in some zones of the seas.

In this chapter, I will first briefly describe the slave trade that structured and connected the Arabo-Persian Gulf, the Red Sea and the Indian Ocean. I will then analyse the British crusade against the slave trade and the construction of a space of law in the Arabo-Persian Gulf – resulting in the creation of a 'British lake' – and the concomitant spaces of resistance.

The Gulf, the Red Sea and the north of the Indian Ocean: 'seas of blood and plunder'

The slave trade network that connected the Gulf, the north of the Indian Ocean¹² and the Red Sea was organized as a system of hubs – from which slaves were exported and distributed – and of markets where they could be bought.¹³ This network was connected by the coming and going of merchants and by the constant movement of ships transporting the slaves. The island of Zanzibar played a crucial part in this network. Zanzibar was a 'hub', or node on the network, from which slaves were imported from the Swahili Coast and the region of the African Great Lakes.¹⁴ The main exporting warehouse serving Zanzibar was in Kwila. Between

1820 and 1840, 8,000 to 20,000 slaves were imported annually from the coast of East Africa to the island.¹⁵ A small number of African captives were integrated into the plantation economy of cloves.¹⁶ However, the majority of the slaves were re-exported from the ports located in the north of the island of Zanzibar to the northern coast of Oman,¹⁷ to Muscat and Sur, which was an active port within this slave trade network. The northern coast of Zanzibar thus constituted an important interface in the regional space of the trade, and Muscat and Sur formed a networked port on the shores of Oman. As described by a British diplomat at the time: 'Muscat and Soar are the principal if not only, primary ports to which all slaves from Zanzibar . . . are brought and whence they are eventually carried into Turkey, Persia, the Arab States and the western coast of India.'¹⁸ A system of re-exportation existed on the coast of Oman. Hence, in 1820 the city-warehouse of Muscat played a similar role to that of Zanzibar. The city-warehouse functioned as a redistribution platform for a regional space integrating the Red Sea and the Persian Gulf. From Muscat, slaves were exported to a wide regional area, including the Red Sea and to the Arabo-Persian Gulf. On the Persian coast, slaves landed at Bunder Abbas, Bushire, Lingah and Kishm Island. In India, they were exported to the ports of Bombay, Kutch and Karachi. The ports of the so-called 'Pirate Coast' also imported slaves: Ras el Khaymah, Bahrain and Dubai. The network of the trade was not only structured around maritime spaces, but extended inland. There were thus trade 'routes', borrowed from the Bedouin populations who were responsible for redistributing the captives within the Arabian Peninsula, in Persia, as well as throughout a vast hinterland whose contours remained to be delineated. However, it was via the Red Sea ports, such as Jeddah and Massowah, that slaves were imported into Egypt. The slave network in this area was therefore extensive, with numerous markets. It linked, as outlined, the Arabian Peninsula, Persia and the Arab Gulf Coast; but more geographically distant countries were also fully integrated in this slave trade network, including the eastern basin of the Mediterranean, Crete and the Ottoman Empire.

There were two main categories of slaves. The first were known by the British as 'domestic slaves'. These slaves, especially the women, were employed by the societies of the Gulf and of the Arabian Peninsula for 'indoor tasks', such as cooking, cleaning and childcare. Some men could also be found in this category. Abyssinian women and men seem to have been considered particularly skilled for that type of household work. The second category of slaves was extremely important for the societies of the Arabian Peninsula and the Gulf. This group, mostly composed of men, primarily worked outdoors. Men from Mombasa and other parts of Africa were bought to work in date plantations and in some of the oases of the Arabian Peninsula. There appears to have been considerable demand for slaves in Egypt from 1840 onwards as a result of the development of irrigation. Yet even before that, Cairo was known for its slave market. However, most of the African men captives were used as divers or pullers on the boats involved in the pearl fisheries of the Arabo-Persian Gulf and of the Red Sea.¹⁹ Pearl fishing was the main economic resource for the population of the Arabo-Persian Gulf. There

was a high mortality rate among the pearl divers. Finally, the sheikhs of the Pirate Coast, like the sheikhs of Ras el Khymah and the Sultan of Oman, are said to have bought slaves from Abyssinia and Nubia to be soldiers in their armies.

Finally, for families, slaves represented true 'economic capital': they were sometimes leased out and thus represented significant extra income. The particular case of the Hubschee, tribes originating from Abyssinia, is instructive: these tribes sometimes received a rudimentary education. They then served as domestic help for wealthy families or as employees in small companies. Merchants or shopkeepers of the souks of Basra or Oman bought some of them. They often obtained positions of high importance.

The slaves exported to the Ottoman Empire belonged to yet another category. African slaves had very specific functions in Ottoman society. According to British sources, there was an important slave market in Constantinople in 1820-40. African women were imported from the Gulf for the harems of the Ottoman Sultan²⁰ or for the harems²¹ of important members of the Ottoman administration or army.²² The route taken was extremely long, from Mohammerah or Basrah to the Ottoman capital, through the Tigris and the Euphrates and then via the Mediterranean. Some of the slaves travelled from Egypt and then via the Mediterranean. The convoys stopped on some islands, such as Crete and Cyprus, which played a role in the Mediterranean slave trade network.²³ Women and very young men almost exclusively constituted these flows of slaves. They then were employed in wealthy families, to oversee the family harem, or simply to watch over the women and children of the household. Others rose up to become members of the imperial harems.²⁴

Diverse groups benefited from the demand for slaves of the societies of the Gulf and the Arabian Peninsula. First among these were the sheikhs and the Sultan of Oman. Some of their revenue came from ports customs and from the taxes that had to be paid on every slave imported. Some of them were more closely involved in the slave trade, for example the Sultan of Zanzibar, who had a fleet specifically dedicated to the slave trade with the coast of East Africa. Abolition, therefore, had significant implications for the economies of the Gulf societies. According to a member of the Persian administration, the abolition of slavery risked ruining the livelihood of thousands of traders, who would be bereft of their main source of income.²⁵

There were a number of categories of merchants involved in the trade. Together they constituted a vast transnational network. Some merchants specialized exclusively in the buying and selling of slaves. For them the trade was a mono-activity. Captives constituted the main merchandise transported, with other goods, such as spices, wood, ivory or pearls, being of lesser importance. For a second group of traders, slaves were only part of a supply of another type of merchandise, and thus, a source of extra income. For example, fishermen and Bedouins traded slaves as a complement to their other main activities. Thus, fishing boats served to transport a handful of slaves here and there, along with dried fish, dates, spices and some fabrics. The Admiralty archives reveal the dimensions of the trade.

The big traders could carry up to 150 slaves at a time, while the smaller merchants, for whom slave trading was a minor economic activity, had smaller dhows which could only carry around a dozen slaves at a time. A memorandum drafted in 1869 regarding the 'East African Slave Trade' gave a concrete description of the traders in the second category. Merchants navigating in the Red Sea and who were involved in the trade were referred to in the following manner: 'These people are sailors and fishermen who carry on a small trade with Confuda, Hodaida and Mocha, where they deposit a few slaves.'²⁶ The Arab fishermen frequented the coast in order to procure fish that they then dried. When they returned to the Oman Sea and the Gulf, they often took along a few slaves.²⁷ Was this part of a barter economy that was only partially monetarized? This is a strong possibility, given that money, such as Maria Theresa thalers, was quite rare among the small traders.

Let us then return to the first category of slave traders. These were, above all, Indian Banias – Indian merchants with a very wide commercial scope. Sir Bartle Frere,²⁸ in 1873, singled out Banias in his description of the island of Zanzibar. According to Frere, these people were earning an immense fortune from the slave traffic,²⁹ which they controlled as a monopoly along with Arab traders. Banias controlled the economic chain of the Zanzibarite trade from top to bottom and if they chartered most of the black slave boats, they also owned the entire slave market.³⁰ Among these Banias, some served as intermediaries for others who remained in India but also participated in the slave trade. Conversely, there were those Banias who resided permanently in Zanzibar and kept significant links with the Indian subcontinent. In Zanzibar, the Banias frequented the wealthy Arab, Persian and Ottoman traders. The latter were the only people with the economic clout and possessed of a socio-commercial network who could, to some degree, be compared to the Banias.

The documents also refer to the intense activity of those designated as 'Mahomedans'. In 1846, a British diplomat posted in Zanzibar described the situation of the traders from the Gulf: 'The whole of the slave trade is into the hands of Persian and Turkish subjects of Lingah, Karrack, Bushire, Kuwait and Bussorah.'³¹ These traders' practices in the space were in fact different. Indeed, the Arab, Persian and Ottoman traders did not frequent Zanzibar and the waters bordering the Swahili coast except during the enslavement season. At that time, they would establish themselves there for a few months, rent a group of houses,³² and then leave once their slave purchases were made, departing on the monsoon winds.

British legislation against the slave trade: the gradual construction of a space of law

A web of treaties and legislation underpinned the fight against the slave trade and slavery in the Gulf. Analysis of the various agreements concerning the slave trade signed with regional powers shows the emergence of a 'British Lake' in the Gulf

and in the connected areas, as well as the nature of British domination in these zones. As highlighted by the documentation, the British led the campaign against slave trafficking in the name of the 'moral values' that some advocates had been preaching since the late eighteenth century, when the anti-slavery movement had built up a head of steam in Britain.³³ The consequences of the trial of Warren Hastings and reflections on the notion of imperial trusteeship also had an influence on this vast anti-slave trade campaign. The crusade against the slave trade is described in the British archives as a 'burden', a task that Britain had to undertake as a result of its role as a 'global power'.³⁴

The treaties

British legislation aimed against the slave trade was built over a period of sixty years, from approximately 1820 to 1880. The British entered an armature of treaties,³⁵ creating differentiated relationships with authorities in the Indian Ocean and the Gulf with military and commercial, as well as humanitarian, objectives. The agreements were quickly revealed as much more than a simple war machine in the service of philanthropic values. They constituted, above all, a pretext for British intervention in the Gulf. The objective was to establish a security zone under English governance as an integral part of the protective seal on the Indian Empire. As James Onley has emphasized, the Gulf became the Arabian frontier of the British Raj.³⁶ The treaties against the slave trade helped to build a secure maritime corridor. The process of pacification of the area could not be separated from the emergence of British protectorates in the Gulf – which became commonly referred to as the Trucial Coast. Through attempting to control certain types of exchange flows, the British inserted themselves into regional arrangements.

From 1820 onwards, treaties were signed that operated on two different scales: on a macro-regional scale and on a micro-regional scale. From 1850 onwards, the British gave their preference to bilateral treaties. A first set of conventions banning the slave trade was signed with the Sultan of Muscat and Zanzibar, the sheikhs of the Trucial Coast, in 1820, 1822, 1847 and 1853. The first of these dates from 1820 and those that were signed afterwards were similar. General Keir, who was the commandant of the second expedition against Ras el Khymah and the sheikhs of the different political unities of the Arab Coast of the Persian Gulf, was the signatory on behalf of Britain. James Onley has called the treaty of 1820 an 'anti-piracy' treaty.³⁷ Importantly for present purposes, whether or not it was an 'anti-piracy' treaty, the treaty of 1820 was the start of the long process initiated by the British to create a maritime corridor on the Arab coast of the Gulf. The General Treaty in Peace signed on 8 January 1820 creates a 'normative space'. There is a 'unifying dynamic' in the 1820 treaty, by which the British tried to create a space, formed by political littoral entities and the Gulf waters. Through these treaties the British enforced local control. In an attempt to homogenize the populations of the Gulf, the different sheikhs and tribes were all designated by the treaty as 'Arab' tribes.³⁸ Under the treaties, the sheikhs were required to surrender their

defensive towers and any boats that could be used for the purposes of war. Only boats for pearl fishing and trade could be kept in the ports. Furthermore, the boats of both the tribes and the sheikhs were required to sail under the same flag, the flag of the 'pacified Arabs', made of a red square piece of cloth bordered by white. The 'Arab' side of the Gulf was also given a flag as if it was a state. This allowed differentiation from the Persian coast. Every vessel was required to carry a licence, port clearance and papers, detailing the length of the boat, the number of the crew and the date of departure, the port of destination and the quantity and types of goods carried:

The vessels of the friendly Arabs shall all of them have in their possession a paper (Register) signed with the signature of their chief, in which shall be the name of the vessel, its length, its breadth, and how many Karahs it holds. And they shall also have in their possession another writing (Port Clearance) signed with the signature of their chief, in which shall be the name of the owner, the name of the Nacodah, the number of men, the number of arms, from whence sailed, at what time, and to what port bound. And if a British or other vessel meet them, they shall produce the Register and the Clearance.³⁹

The treaty authorized Royal Navy vessels to intercept and search Arab ships or boats suspected of illicit trafficking. The Nakhoda and members of the crew were required to be ready to show the papers regarding the boat registration and its clearance to the British patrols at any time. The right to control visiting boats was key in the emergence of the British Lake. For the first time the slave trade was outlawed and assimilated to 'piracy' and 'plunder'. Dhows engaged in the slave trade were susceptible to being searched.

In particular, Art. 9 of the treaty constituted an attempt to create a moral space, a disciplined space: 'the carrying of slaves, men, women, or children, from the coasts of Africa or elsewhere, and the transporting them in vessels, is plunder and piracy and the Friendly Arabs shall do nothing of this nature.' In this space of illegal traffic and violence, the British sought to substitute a secure and pacified world, one in which commerce and prosperity could flourish. The struggle against the slave trade was thus a way to reinforce the control of the seas. Not everyone thought the treaty went far enough. The Governor of Bombay, Elphinstone, would have forbidden the importation of wood by the Arab tribes from various places (India via Bombay and East Africa), as this would have made the outlawing of the slave trade and piracy easier. Keir's answer to Elphinstone, and to the Council of Bombay when he returned to Bombay in 1821, was that preventing the Arab tribes from building a fleet would, on the contrary, make the task of the British harder. Without a fleet, the Arab tribes would be vulnerable to attacks. As a result, the British Government and Bombay would have been required to defend them, leading to too great a political involvement in the Gulf. Keir faced many other critics, especially those who believed he should have overthrown the sheikhs of Ras el Khymah, accused of leading the pirate fleets in the Gulf.

Despite the tensions within the Government of Bombay, the treaty marked a milestone in British imperial discourse concerning the Gulf and Britain's interference in the region. British diplomats, particularly the Resident of the Gulf and the Governor of Bombay, regarded this treaty as the measure that could bring peace, prosperity and progress to the Gulf. The 1820 Treaty marked the end of an era of anarchy, of constant warfare for the protagonists, and the beginning of another one, in which it was thought British rule could erase the violence and backwardness of the past. In 1828, the British Resident stated that 'the former system of plunder and piracy, . . . was the cause of misery and ruin'.⁴⁰ He added that it was 'the maintenance of that general peace and tranquillity which is daily extending the spirit and mutual confidence and good order among the inhabitants of the Gulf',⁴¹ and thanks to British intervention, that the space of the Gulf could change.

After 1820, the British continued their policy against slave trading through bilateral treaties signed with some Gulf States rulers. The British tried to target some important slave trading centres through these agreements. They attempted to transform some of the slave trading cities into legal commercial centres. By so doing, the British reinforced their political links with the Gulf chiefs. The first target was Muscat because of its importance in the slave trade network. The largest number of treaties and agreements regarding the slave trade were signed with the Imam of Muscat. The British intended to continue their policy developed at the end of the eighteenth century through which they had hoped to create, within the Sultanate of Oman, a sort of 'British territory' where other foreign influence would be displaced. This Omani policy was aimed at securing the entrance to the Gulf and hence the maritime route towards India.

From 1820 onwards, a number of treaties were signed that can be considered as types of 'preliminary' agreements to the treaty of 1873. In 1822, the British signed a treaty with the Imam. This treaty played an important role in creating the normative structure of the space that constituted the Gulf. Under this treaty, the Imam was expected to participate in outlawing the slave trade, in particular the seizing of ships participating in illegal trafficking. Further, the treaty stated that the Imam was required to allow British representatives involved in anti-slavery measures to settle in Muscat and his dominions. The Sultan was also to facilitate entry to his ports for the ships of the East India Company (EIC) patrolling for slavers. However, this also granted EIC ships tax-free access to the ports under the Imam's jurisdiction. The normative space created by the British was not just one of peace, but also a commercial one; where British-Indian products and goods that had been carried within the trading networks for centuries, such as wood, horses, pearls, dates and spices, replaced slaves.

Increasingly coercive treaties were signed with Muscat prior to 1873, particularly as Britain banished slavery from its colonies. Under a treaty in 1845, the Sultan agreed to forbid the importation of slaves from all his territories, including those in Africa, and from any other African territories, even if these were not under his jurisdiction. He was also to help prevent slave imports from Africa to other Gulf territories under the Arab sheikhs' authorities. According to Article 3, the Sultan

was to give permission to the EIC to seize and search all types of ships, even those not under his authority, within his territorial waters. This clause is particularly important as it shows that the British started to establish a concept of 'territorial waters', thereby attempting to transform Muscat's territorial waters into 'lawful' waters.

In 1873 the export of slaves from the African dominions of the Sultan of Muscat was forbidden. The treaty of 1873 marked a tougher approach. Articles 1 and 2 of the treaty are especially coercive: they stipulated a total ban on the commerce of slaves between the dominions of the Sultan of Zanzibar, with the further stipulation that all ships engaging in this type of traffic would be seized and confiscated. Under articles 3 and 4, the Sultan agreed to protect all freed slaves and punish any who attempted to re-enslave them. Thus, slavery was legally abolished. Yet slave dealers carried on their activities. British sources insist on the persistence of the slave trade in Zanzibar and in Zanzibarite waters. Thus, Zanzibar remained a trading platform, even if the majority of the slaves were no longer sent to Muscat or to the rest of the Gulf territories, or transferred from there to other territories. According to British Foreign Office archives, most of the African slaves transiting through Zanzibar were instead sent to the Comoros Islands or to Madagascar. This example shows the flexibility of the slave trade space. As a result of the patrolling of British ships in the waters in the north of Zanzibar, the slave trade was largely expelled from the normative space created by the treaties, moving to zones that were neither secured nor monitored by the British.⁴² The seas between Zanzibar, the Comoros Islands and Madagascar became a 'space of resistance'.

On a larger scale, through treaties signed with regional powers such as the Pasha of Egypt, the Ottoman Sultan and the Shah of Persia, Britain further expanded its area of maritime supremacy. Again, the combating of the slave trade should not be understood only as a philanthropic, but also as a military/commercial enterprise. The decades 1840–1880 were those of the expansion of the British Lake. This normative space, especially that created in the south of the Gulf, in the maritime corridor of the Gulf sheikhdoms and in Omani waters, grew larger as these treaties were signed with regional powers.

From the 1840s onward, Britain started to cooperate closely with Persia, the Ottoman Empire and Egypt in her attempt to abolish the slave trade. Persia was perhaps the most reluctant to follow British policy and showed less willingness to cooperate than the Ottoman Empire. British sources show that in 1846, for example, the Shah resisted British diplomatic pressure to issue a Firman to prohibit the slave trade in Persia. According to the British, when the Shah and his political entourage opposed the British on a number of occasions, British officials directed the Shah and his ministers to the example of the Imam of Muscat. In negotiations, it was pointed out that the Shah's authority in the Gulf could be reinforced through marine patrolling against slave dealers. However, such a policy could only be conducted as a result of close cooperation between Persia and Great Britain. Britain's strategy was more likely to place the Shah's maritime area, which had

been reduced since the second half of the eighteenth century, under British authority.

According to British archives, the Shah's political entourage resisted, on the pretext that Islam did not ban slavery. A letter, supposedly written by a Shah's minister, reports his reaction to British treaties and proposals on banning the slave trade in Persian waters: 'Such matters did not concern our Government but our Religion and that we could not issue orders to our dependants and subjects that which is lawful by the law should be unlawful to them.'⁴³ And the Shah's minister is supposed to have added, after reporting the Shah's comments: 'if according to their religion this traffic is considered an abominable practice, in our religion, it is lawful, why, then should the things which our prophet has made lawful to us be imputed detestable.'⁴⁴

The 1850s were decisive, at least with respect to the Ottoman Empire. In 1847 the Sultan abolished by Firman the slave market of Constantinople and prohibited the importation of slaves into the Gulf ports situated under its authority. In 1848, the Shah of Persia banned the import and export by sea of black slaves into the territories of his empire. Commerce by land remained authorized.⁴⁵ In 1854, the slave markets in Egypt were closed, including those of Cairo. From March 1857, the Pasha of Egypt banned the export of slaves from the port of Tripoli with a Firman transmitted by the Ottoman Sultan. Yet these measures were not entirely effective. It was not until 1877 that the politics of Great Britain took a radical turn with respect to Egypt. This betrayed a global inflexion of British politics against the trade in these years. It condemned the trade, but with especially virulent attacks against slavery. Article 1 of the treaty signed with the Khedive of Egypt on 4 August 1877⁴⁶ reaffirmed the ban on engaging in the trade or having captives transit in the territories under the Khedive's jurisdiction.⁴⁷ Moreover, measures against traffickers were very severe. Article 2 specifies thus that any person involved in the trafficking of slaves would be declared 'guilty of murder' and judged before a court martial. All slaves found on boats or in land convoys were declared free. Egypt and Great Britain were intent on helping the slaves return to their 'country' of origin. Article 6 gave the British the right to search Egyptian boats without any restrictions and in an extended maritime space, in the Red Sea, in the Gulf of Aden, on the Arabian coasts, and in the territorial waters of Egypt and its dependencies.⁴⁸ Together such measures created a new configuration of the British presence in the region.

Surveillance and security of the space

Surveillance and security of the space occurred in two phases. In the first phase, the British built strong regional networks that allowed them to gain a foothold in the Gulf and in some parts of the Indian Ocean. Then, in a second phase, the British appropriated the regional space through the creation of a tight system of surveillance of the seas. British vessels were thus the instruments through which the new space was dominated: boats of the East India Company and the Royal

Navy patrolled and intercepted the ships suspected of transporting slaves. The British tried to extend the right of search to ships flying the flags of the other European powers at the Conference of Brussels.⁴⁹ They failed, especially in the face of French refusal. At the beginning of the nineteenth century, British cruisers traversed the Gulf, largely to combat piracy. After the signature of the General Treaty of 1820⁵⁰ the British created the post of 'Political Agent for the Lower Gulf',⁵¹ so that a diplomat could manage the relations between the British Indies and the sheikhs of the area.⁵² The main tool in the hands of the Resident was the navy squadron. This squadron was under the command of the 'Senior Naval Officer in the Persian Gulf', whose headquarters was in Qishm,⁵³ and later on a neighbouring island, Hengam. In the 1820s, the officers of the East India Company were the first witnesses to the importance of slave trafficking.⁵⁴ Their reports are important indications of the extent of commerce and the manner in which it was conducted. The evidence of the Officers of the East India Company was relayed by those of the East India squadron whose headquarters were situated on the west coast of India.

The patrols of these British ships were one of the first elements that allowed the British to mark the maritime territories: responsible for security, they bore the British flag and were present in the Indian Ocean, the Gulf and the Red Sea. Indeed, this was the first trace of the 'Britification' of the region in the service of the construction of a world under English governance. In addition, the British flags competed with the Qawasim pirate ship flags, signalling these participants in the economy of the trade.⁵⁵ Further, Arab ships of the sheikhdoms, signatories to the treaty of 1820, had to hoist a white and red flag. These imposed colours, white and red, can be seen as a visible symbol of the new normative order that was being created. Furthermore, British ships themselves constituted micro-normative orders in the region. British diplomatic archives show that some slaves were seeking asylum on British ships patrolling in Gulf waters. Marine officers reported that this occurred particularly during the pearling season. Instructions are given by the Foreign Office to naval officers as to how those 'fugitive' slaves should be handled. In what is called 'foreign waters', which probably referred to the waters of the countries with which Britain had no 'patrolling' and 'searching' agreements, officers were to be very cautious on offering asylum to the slaves. On the high seas, slaves were only taken on board if they had fled because of a threat to their lives. They were to be disembarked at the nearest port and transmitted to the nearest competent authorities, where information would be sought as to their ownership and enslavement.⁵⁶ The different adjudication ports to which the archives constantly refer constituted important nodes in these normative and physical spaces.

Conclusion

The struggle against the slave trade in the Persian Gulf and the Indian Ocean is important to the construction of British imperialism. However, in 1880, the slave

trade persisted and the right of search was still far from being fully efficient. In 1890, sources reveal an increase in the slave trade between Muscat and the East Coast of Africa. The British struggled against trafficking between the Red Sea, the Gulf and the coasts of East Africa on dhows of Arab merchants flying the French flag. Nevertheless, a memory informed by a myth of unbridled success of the struggle against the slave trade between 1820 and 1880 persisted. Thus in 1903, in addressing the sheikhs during his visit to the Gulf, Lord Curzon celebrated a British Empire not only victorious over the slave traders and pirates in the Persian Gulf, but also over Russia and France; an empire that was at the centre of the world because it possessed India. Above all, Lord Curzon, in a long reflection on the place of empires in history, considered the work that Britain had accomplished greater than that of Alexander the Great or Rome, because it had built a legal space, a space of law, governed by Britain:

You know that a hundred years ago, there were constant trouble and fighting in the Gulf, almost every man was a marauder or a pirate, kidnapping and slave trading flourished, fighting and bloodshed went on without stint or respite. . . . We opened these seas to the ships of all nations and enabled their flags to fly in peace. . . . We found strife and we have created order.⁵⁷

Notes

- 1 A.L.P. Burdett (ed.), *The Slave Trade into Arabia*, 6 vols, Cambridge: Cambridge University Press, 2006, vol. 4, p. 429.
- 2 See, for example, D. Armitage, *The Ideological Origins of the British Empire*, Cambridge: Cambridge University Press, 2000; T.R. Metcalf, *Ideologies of the Raj. The New Cambridge History of India III*, vol. 4. Cambridge: Cambridge University Press, 1994.
- 3 T. Bender, *The Antislavery Debate*, Berkeley: University of California Press, 1992; D. Turley, *The Culture of English Anti Slavery, 1780–1860*, London: Routledge, 1991; B. Carey and P.J. Kitson (eds), *Slavery and the Cultures of Abolition: Essays Marking the Bicentennial of the British Abolition Act of 1807*, Cambridge: D.S. Brewer for the English Association, 2007.
- 4 A. Porter, 'Trusteeship, Anti-Slavery and Humanitarianism', in W. Roger, A. Porter (eds), *The Oxford History of the British Empire, 'The Nineteenth Century'*, Oxford: Oxford University Press, 2001, vol. 3, pp. 198–222.
- 5 This paper is focused on the Gulf, but for a more global perspective on Great Britain and the abolition of the slave trade, see, for example, K. Hamilton and P. Salmon (eds), *Slavery, Diplomacy and Empire: Britain and the Suppression of the Slave Trade, 1807–1975*, London: Sussex Academic Press, 2009; D.R. Peterson, *Abolitionism and Imperialism in Britain, Africa, and the Atlantic*, Athens: Ohio University Press, 2010.
- 6 B. Sims, *Humanitarian Intervention: A History*, Cambridge: Cambridge University Press, 2011.
- 7 R. Skinner and A. Lester, 'Humanitarianism and Empire: New Research Agendas', *The Journal of Imperial and Commonwealth History*, 40, 2012, 729–747.
- 8 See in particular the recent work of Alan Lester, including, 'Spatial Concepts and the Historical Geographies of British Colonialism', in A. Thompson (ed.), *Writing Imperial Histories: Studies in Imperialism*, Manchester: Manchester University Press, 2013, pp. 118–142; 'Imperial Circuits and Networks: Geographies of the British Empire',

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- 10 J.B. Kelly, *Britain and the Persian Gulf, 1795–1880*, Oxford: Clarendon Press, 1968.
- 11 J. Onley, *The Arabian Frontier of the British Raj, Merchants, Rulers and the British in the Nineteenth Century*, Oxford: Oxford University Press, 2007.
- 12 W.G. Clarence-Smith (ed.), *The Economics of the Indian Ocean Slave Trade in the Nineteenth Century*, London: Routledge, 1989.
- 13 G. Crouzet, "'A Sea of Blood and Plunder': Lutte contre la traite et politique impériale britannique dans l'océan Indien, le Golfe Arabo-Persique et la mer Rouge (vers 1820–vers 1880)', *Monde(s), Histoire, Relations, Sociétés*, 1, 2012, 213–236.
- 14 R.W. Beachey, *The Slave Trade of Eastern Africa*, London: Collings, 1976; F. Le Guennec-Coppens and P. Caplan (eds), *Les Swahili entre Afrique et Arabie*, Paris: Karthala, 1991; G.S.P. Freeman-Grenville, *The Swahili Coast, 2nd to 19th centuries, Islam, Christianity and Commerce in Eastern Africa*, London: Variorum Reprints, 1988; C.S. Nicholls, *The Swahili Coast: Politics, Diplomacy and Trade on the East African Littoral, 1798–1856*, London: Allen & Unwin, 1977.
- 15 Here is a synthesis of the information given by the Admiralty records.

Years	Zanzibar
1862–1863	13,000
1863–1864	14,000
1864–1865	13,821
1865–1866	18,344
1866–1867	17,538
Total	97,203

- 16 A. Sheriff, *Slaves, Spices and Ivory in Zanzibar, Integration of an East African Commercial Empire into the World Economy, 1770–1873*, London: James Currey, 1987.
- 17 Until 1861, Oman and Zanzibar formed a single Sultanate.
- 18 Burdett, *The Slave Trade*, vol. I, p. 317.
- 19 See on that matter G. Crouzet, "'A Golden Harvest": exploitation et mondialisation des perles du Golfe Arabo-Persique (vers 1880–vers 1910)', *Revue Historique*, 658, 2011, 327–356.
- 20 E.R. Toledano, *Slavery and Abolition in the Ottoman Middle East*, Washington: University of Washington Press, 1998; *The Ottoman Slave Trade and its Suppression*, Princeton, NJ: Princeton University Press, 1982.
- 21 D. Robinson-Dunn, *The Harem, Slavery and British Imperial Culture, Anglo-Muslim Relations in the late Nineteenth century*, Manchester: Manchester University Press, 2006.
- 22 British sources mention Ottoman 'harems' without distinguishing between the different categories of harems.
- 23 R. Austen, 'The Mediterranean Islamic Trade out of Africa: A Tentative Census', *Slavery and Abolition*, 13, 1992, 214–248.
- 24 E.R. Toledano, 'Kul/Harem Slavery, the Men, the Women, the Eunuchs', in E.R. Toledano (ed.), *Slavery and Abolition in the Ottoman Middle East*, pp. 20–53.
- 25 Burdett, *The Slave Trade*, vol. I, p. 650.
- 26 *Ibid.*, vol. II, p. 389.
- 27 *Ibid.*, vol. II, p. 390.

- 28 R.J. Gavin, 'The Bartle Frere's Mission to Zanzibar, 1873', *The Historical Journal*, 5, 1962, 122-148.
- 29 W.G. Clarence-Smith, 'The Economics of the Indian Ocean Slave Trade in the 19th Century: An Overview', in Clarence-Smith, *The Economics of the Indian Ocean Slave Trade*, pp. 1-21.
- 30 Burdett, *The Slave Trade*, vol. II, pp. 721-765.
- 31 *Ibid.*, vol. II, p. 499.
- 32 *Ibid.*, vol. II, p. 36.
- 33 On this notion and on the influence of religious dissenting groups on abolitionism see Brycchan Carey and Peter J. Kitson (eds), *Slavery and the Cultures of Abolition*, op. cit.
- 34 O. Pétré-Grenouilleau (ed.), *From Slave Trade to Empire, Europe and the Colonisation of Black Africa, 1780-1880*, London: Routledge, 2006.
- 35 S. Miers, *Britain and the Ending of the Slave Trade*, London: Longman, 1975, p. v.
- 36 James Onley, *The Arabian Frontier*, op. cit.
- 37 It is not the place to discuss the existence or not of piracy here. Historians have recently showed that the British and the Indian Empire from the late eighteenth century onwards used piracy as a rhetorical tool in order to justify intervention and domination in a number of areas. See S. Layton, 'The "Moghul's Admiral": Angrian "Piracy" and the Rise of British Bombay', *Journal of Early Modern History*, 17, 2013, 75-93; S. Layton, 'Discourses of Piracy in an Age of Revolutions', *Itinerario*, 35, 2011, 81-97; R. Metcalf, *Ideologies of the Raj*; L. Subramanyam, 'Of Pirates and Potentates: Maritime Jurisdiction and the Construction of Piracy in the Indian Ocean', *UTS Review: The Indian Ocean*, 6, 2000, 14-23; A. Pérotin-Dumon, 'The Pirate and the Emperor, Power and the Law on the Seas, 1450-1850', in J.D. Tracy (ed.), *The Political Economy of Merchant Empires: State Power and World Trade 1350-1750*, Cambridge: Cambridge University Press, 1991, pp. 196-227; L. Benton, 'Legal Spaces of Empire: Piracy and the Origins of Ocean Regionalism', *Comparative Studies in Society and History*, 47, 2005, 700-724; G. Crouzet, 'A sea of perpetual maritime truce': *Les Britanniques et le Golfe Arabo-Persique (vers 1810-vers 1914)*, forthcoming PhD dissertation, University of Paris-Sorbonne, 2014.
- 38 'The friendly [literally the pacificated Arabs]', C.U. Aitchison, *A Collection of Treaties, Engagements and Sanads relating to India and Neighbouring Countries, vol. X containing the Treaties, etc., relating to Persia and the Persian Gulf*, Calcutta: Office of the Superintendent of Government Printing, 1892, p. 122 ff.
- 39 Kelly, *Britain and the Persian Gulf*, p. 128.
- 40 Bushire Residency Records, January-October 1828, British Library (London), R/15/1/47, unpaginated.
- 41 *Ibid.*
- 42 Burdett, *The Slave Trade*, vol. II.
- 43 *Ibid.*, vol. I, p. 556.
- 44 *Ibid.*, p. 560.
- 45 *Ibid.*, vol. II, p. 884.
- 46 *Ibid.*, vol. III, pp. 212-215.
- 47 That is, in a space extending from Alexandria to Assouan.
- 48 Burdett, *The Slave Trade*, vol. III, p. 215.
- 49 The Conference of Brussels took place in 1890 after the Berlin Conference of 1885. By the General Act of the Brussels Conference, the signatory powers defined fighting the slave trade as a major duty.
- 50 The sheikhs of the said to be Pirate Coast signed in 1820 the Treaty in Perpetual Maritime Truce.
- 51 In the beginning, the British established headquarters for the 'Political Agent for the Lower Gulf' on the island of Qishm, in the Strait of Ormuz. Then, he was transferred to Bushire in 1822 and this post was combined with the much older function of

- 'Resident of the Persian Gulf', which partook in the structures of the East India Company.
- 52 D. Wright, *The English amongst the Persians during the Qajar Period, 1787-1921*, London: Heinemann, 1977; Kelly, *Britain and the Persian Gulf*; B.C. Busch, *Britain and the Persian Gulf, 1894-1914*, Berkeley: University of California Press, 1967.
- 53 Qishm is located along the Persian coast, facing the port of Bandar Abbas.
- 54 C. Lloyd, *The Navy and the Slave Trade: The Suppression of the African Slave Trade in the Nineteenth Century*, London: Longman, 1968.
- 55 C. Belgrave, *The Pirate Coast*, London: Bell, 1966; Sultan bin Mohamed Al-Qasimi (ed.), *The Journal of David Seton in the Gulf*, Exeter: University of Exeter Press, 1995.
- 56 Burdett, *The Slave Trade*, vol. II.
- 57 G.N. Curzon, 'Address delivered by his Excellency Lord Curzon, Viceroy and Governor-General of India, to the Trucial Chiefs of the Arab Coast at a public Durbar held at Shargah on the 21st November 1903', London: India Foreign and Political Department Official Publications, 1906.