Disputed Freedom

Fugitive Slaves, Asylum and Manumission in Iran (1851 – 1913)
Niambi Cacchioli
Post-doctoral Fellow, Department of History, Rutgers University, Newark, New Jersey

One evening in 1856 Moolah Ahmed, an Iranian, opened his door to find a young African woman named Khyzran. Moolah Ahmed was an employee at the local British Agency in Lingeh, a port city on the Persian coast and an important hub for the African slave importation in Iran. He invited her in and helped her file a petition at the Agency. Although Ahmed was not authorised to assist fugitive slaves, he was aware that British officials stationed in town had taken similar action. Little did he know that his intervention would result in a dispute with community leaders, including the local sheikh, and ultimately in losing his job.

Khyzran’s case is one of the few recorded testimonies of fugitive African slaves in Iran that detail the circumstances of her capture. A few months earlier, a Lingeh based slave dealer had smuggled her and two other slaves into the port city and sold her to a local buyer.

She was born in a town near Zanzibar and worked there as a domestic slave until she was thirteen. She was freed after her master’s death. Her freedom was however short-lived, for by the age of 22 Khyzran was again enslaved. According to her testimony, one evening in Zanzibar, when returning home from a dance with her sister, a slave dealer and his band captured and put them both on a dhow with twenty other captives. They were then carried to Ras al Khaimah and sold off to individual buyers. Separated from her sister and sold along with two other slaves to the above-mentioned Lingeh based dealer, Khyzran was subsequently brought to Lingeh where she was sold to a local resident identified as Kammal. She relates “Kammal insisted that I was not to show myself outside the house because the English Agent would see me.” Shortly thereafter he left to visit his native village, and in Khyzran’s understanding, abandoned her. She solicited advice from a slave girl in town whose suggestion she says was, “Rather than attempting to locate my owner I should go to Ahmed the Agent who would save me, which he did.” Several days later, while walking through town, she recognised one of the slaves, a 13-year-old boy named Walladee, whom she had been smuggled into Lingeh with her. According to Moolah Ahmed’s report “Khyzran learned from him that he had been sold in Lingeh to a Persian by the Ras al Khyma [sic] people who imported him. In time the girl came back to my house with the boy and on entering my room I saw them both seated.”

Satisfied that both Walladee and Khyzran had unambiguous claims of illegal importation, Ahmed took charge of things and arranged for their stay at a slave asylum depot at Basaidu. Some days later the local sheikh at Lingeh filed a complaint on behalf of the boy’s owner who claimed that the boy had been in his service for two years (although the report does not specify whether the owner had provided evidence of the date of purchase). The sheikh demanded the return of Walladee, adding that he would use force if necessary.

Although the slaves’ testimonies corroborated one another’s claims of illegal importation, Ahmed was ordered to collect Walladee and Khyzran from the Basaidu depot and return the boy to his owner. As for the latter, we are left to speculate on what happened to her after she returned to Lingeh. Did she seek out her owner, Kammal? Or, did she find work in another local household. Perhaps she found herself, once again, enslaved in Lingeh or elsewhere in the Persian Gulf. As for the circumstances of other African slave cases documented during this transitional period, such questions remain unanswered, for Khyzran’s story disappears from the records as abruptly as it surfaced.
Historians commonly mark the 1848 trade suppression as the beginning of the end of African enslavement in Iran. For centuries, slaves were drawn in small numbers at one time or another from the Lake Nyassa region of interior East Africa, Zanzibar, Ethiopia, Somalia, Mozambique, and southern Sudan, forming a small percentage of the country’s multi-ethnic slave population. During the Qajar dynastic period (1795-1925), African men, women and children were brought to Iran in greater numbers than the country had ever witnessed. Aristocratic and wealthy families incorporated domestic slaves into their household as both investments and symbols of prosperity. Additionally, economic forces driven by the expansion of foreign trade in the south and commercial farming innovations in the south-eastern provinces gave rise to the need for new sources of coercible labour. The present paper addresses a particular moment in Qajar slavery history: 1851 – 1913. The year 1851 marks the establishment of the Anglo-Persian slave trade Agreement, while the latter date signals the creation of the “Manumission Procedures” - one of the most comprehensive policy mandates to standardise assistance procedures for liberated and fugitive slaves.

The discussion below is born out of a reflection on one of the recurring themes of the 2007 UNESCO symposium: The specificity of African slave trading and slavery in predominately Muslim countries. While the desire to distinguish practices in the Middle East from New World slavery institution makes us create a shared paradigm of “Islamic slavery” or “Middle Eastern slavery”, it is also essential to open up the discussion to the diverse – and often contradictory – conditions of enslavement for Africans channeled into servitude across time, geography, and cultures in the region. I would add that, just as we look at the specificities of slaveholding practices to understand contemporary societies, we must also look at the specificities of the end of slavery – this crucial period in a country’s history where it transitioned from an enslaving society into a free one.

Those who sought out their freedom certainly do not represent the norm of slave-master relations in Iran during the Qajar dynastic period (1795-1925). Indeed, their very presence in the collection of British consular archives refutes the common assumption within historiography that African slaves in the Middle East were wholly (and successfully) absorbed into the patronage networks of their owners. This may explain why their cases have yet to garner the same level of attention as their counterparts in the Americas. I would argue that slave testimonies are a crucial source for research both for what they may tell us about the nation’s past in slavery and for the lived experiences of Africans and those of African descent who made new lives for themselves in Iran. The historical treatment of the British-led campaign to curtail slave trafficking in the Persian Gulf and the Indian Ocean world has become a sub-discipline in its own right. Writings on the subject have shed light on the successes and setbacks of the ambitious humanitarian project to induce a gradual end to regional slavery via trade suppression activities. However, there is very little written on the circumstances of the slaves themselves. During the 19th and early 20th century, the issue of the humanitarian assistance to African slaves in Iran was the subject of numerous exchanges between the British officers serving at consular outposts along the Gulf, in East Africa and in the Bombay administration. Poignant accounts of slaves’ conditions in the Persian Gulf also occasionally featured in dispatch reports of the influential activist publication, “The Antislavery Reporter”, thus helping to build a groundswell of public support in Britain for greater intervention in the Middle East. In contrast, the emotion surrounding measures to free and protect African slaves in southern Iran by the British is often eclipsed in scholarly literature. It is my contention that the sum of individual cases of intercepted and fugitive slaves in Iran and the Persian Gulf also served as the impetus for the creation of protection and manumission policies, thus expanding the mission of antislavery activities beyond the original mandate of trade suppression. The primary source for this paper is the consular archives of Asia, Pacific, and Africa housed at the British Library. The administrative records, correspondence and slave testimonies provide crucial insights into the bureaucratic preoccupations surrounding treatment of slaves, the development of procedures for custody, the limits of British protection, and the probable outcome of slave surrenders. They also convey the trial and error nature of policy-making for protection and, along with it, the variety of obstacles that British agents encountered in trying to administer an expanding humanitarian project under constraints of international law and slave owner dissent.

The genesis of protection and manumission procedures

Historians commonly mark the 1848 trade suppression firman issued by Muhammad Shah as the beginning of the end of African enslavement in Iran. Hailed as a diplomatic triumph for the British influence on the Persian court, the mandate forbade all importation by sea of African slaves. Their optimism was short-lived when, later that year, Muhammad Shah died and his seventeen-year-old son, Nasir al Din was proclaimed king. The young monarch was advised by the formidable Prime

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Minister, Mirza Taki Khan Amir Kabir, whose governmental reforms set out to strengthen centralised power and drastically limit the British and Russian influence in Iran’s domestic affairs (4). Though the ruling defence minister felt no need to contest the legitimacy of the 1848 order, he did, however, challenge Britain’s role as the primary enforcer of the treaty’s penalties.

Despite Amir Kabir’s opposition, the young shah’s fear of impending Russian aggression made him concede greater authority to British naval patrollers in the 1851 Anglo-Persian slave trade agreement. The treaty amended the earlier firman by granting the British right to board a Persian vessel, detain its crew and seize any smuggled slaves found onboard (5). In the first stage of treaty enforcement, British patrollers faced severe legal obstructions while implementing the search and seizure policy. They discovered that while Iranian merchants begrudgingly acknowledged their right to board and search their vessels, the former were incensed by the confiscation of their cargo and property. The merchants’ opposition to trade suppression measures rendered the acquisition of smuggled slaves a tedious and politically volatile enterprise for British interventionists. Moreover they perceived the policy as an excessive reaction to a relatively minor feature of their society and were generally uncooperative in its enforcement. In addition, the legality of British actions was thrown into question, setting off fierce debates amongst officials as to the limits of their authority in Persian territorial waters. Consequentially, the reality of British activity in Persian territorial waters paled in comparison to the aspirations of the 1851 Treaty.

**The Persian Slave Commission**

To resolve the legal dilemma of search and seizure, in 1853 the Bushehr Residency established the Persian Slave Commission, a network of Iranian nationals deputised by the Bombay government and presided over by the Persian Commissioner stationed at Bushehr (6). This commission composed of Persian subjects possessed the legal authority to seize slave cargo and ensure that fines collected by the town court authorities reached the Persian Royal Treasury. Moreover, being local residents, the Persian officers could gather information on the day to day developments of this informal trade. Not least of all, British strategists hoped that the involvement of Persian officials would convey the bilateral spirit of their trade suppression programme (7). Furthermore, in delegating responsibility to a local power, the consular agencies could attend better to other pressing matters. Far from being their only concern, the issue of patrolling waters for smuggling outfits was seen as yet another worry on the already overtaxed naval resources.

The Persian Slave commission deputies were also responsible for investigating rumours of slaves being landed and sold after 1852 and, where possible, glean details of future imports. The Commission’s reported successes in locating and handing over delivered slaves boosted morale and added weight to the campaign. The most successful formula was the combined intervention of deputised Persian officers and the town sheikh(s) from the buyer’s town. It was widely acknowledged among FO officials that slaves that reached British custody through this procedure were only token demonstrations of a sheikh’s co-operation and constituted most often, of a small batch of slaves. Town leaders had to balance their obligations with regards to their community and the neighbouring leaders and the mounting British pressure via regional governors. By far, their political and economic interests lay with slaving as it was a source of profit for the coastal communities as well as a flexible pool of exploitable labour.

Slave surrender was a precarious operation and placed Persian deputies in a delicate position as mediators between the Political Residency and Persian slave owners from the local community. Their activities were influenced by their own low social status, their submission to bribery (8), and, in some instances, their participation in slave trafficking. Even in cases where Persian Commissioners accomplished their duties in earnest, if the violator enjoyed a high status in the community the authority of the officials was disregarded. The eventual decision to reward Persian slave deputies with bonus payments (9) for each surrendered slave helped to offset the strong negative sentiment they endured for co-operating with the foreign power.

**Protection and Manumission: A Humanitarian Dilemma**

In addition to the successful interception of slave cargo, the administrators were faced with the humanitarian issue of looking after individuals once they entered British custody. Under the 1851 stipulations, slaves intercepted at the point of entry were automatically considered free persons. At the outset of the programme there were no guidelines for procedures to look out for those placed in British
custody. Nonetheless, early correspondence amongst officers reported that slaves arrived in distress – suffering from malnutrition, heat exhaustion, dehydration, disease, or trauma of the circumstances of their capture and transit. Consequently, although the trade suppression treaty emphasised the enforcement of punitive measures for smugglers, the daily preoccupation of intervening officers centred on care and rehabilitation of slaves, and more importantly, around the safeguarding of their new status as free persons.

The most immediate concern was to provide a safe haven for intercepted slaves. Neither the property of an Iranian nor themselves inhabitants of Iran, surrendered slaves were formally recognised and given the status of “protected persons”. It could be said that, rather than as ex-slaves, surrendered Africans were treated as kidnapped victims and, various FO assistance measures developed as a means to help them recover from the trauma of their capture. They were adequately fed, dressed, and housed - steps deemed as essential in their transition from slavery to freedom. Liberated slaves were issued Persian manumission documents, as well as British freedom certificates, stating that they were free and protected from recapture or resale.

Slave asylum was available at all Persian Gulf consular agencies. Most of the emancipation correspondence came from consular bureaus at Bushehr, Bandar-e Lingeh, Basaidu (then a British territory) and Bandar-e Abbas. There was no time limit set on a slave’s temporary accommodation but was based upon their physical state, the prospects for his/her eventual work placement or plans for their relocation to Zanzibar or Bombay. Accommodation practices varied according to the number of slaves surrendered and the capacity of an agency’s facilities. Records show that British agencies regularly housed male slaves on their premises and made arrangements for females to either stay in a different area on their premises or house them in a designated quarter of town. As for individuals who arrived on their own to submit a complaint, officials did not want to run the risk of a slave’s recapture before their claim was verified. Therefore, they too were granted temporary accommodation and a daily food stipend.

Beyond the sparse details contained in the various cases recorded in the Persian Gulf Slave Trade Papers, we do not know much about their fate once they left British asylum. Some found work locally. Others, women in particular, went to safe houses established and run by former slaves. There are reports that children were placed in “Christian homes” as domestic servants. Similar to practices at other consular offices, a number of slaves intercepted at Iranian ports were relocated to Bombay or “repatriated” to Zanzibar. Outside of these documented outcomes, we may imagine that many of the freed Africans faced new hardships as they became assimilated into the poor communities along the coast.

**Fugitive Slave Asylum: The principle of fugitive slave protection and its Limitations**

The Gulf Residency’s manumission programme outlined above was initially established for smuggled slaves freed at the point of entry. Records tell us that protection was also given to any slave imported after 1848 and found serving a Persian master. This was a more complicated matter, because they had to be proved as “fresh cargo,” i.e. purchased post-1848. The British harbouring of smuggled slaves seized at the point of entry acted as a precedent for protection and, within the first years of its establishment, the programme expanded to grant similar assistance to runaway slaves seeking freedom or wishing to lodge complaints of poor treatment from their owners. It is not clear from historical sources when or how British officers began to grant protection to African fugitive slaves in the Gulf. What is evident is that, within the first years of antislavery activities in Iran, agents stationed across the Gulf had intervened on behalf of a number of refugees.

The Bushehr Residency was not the first Bombay authority to take in fugitive slaves. In fact, it was an open secret among FO officials that Indian Navy vessels “liberated” African runaway slaves from the Persian and Arabian shores. The latter were rid of their slave status on board. Indeed the British flag on war vessels entitled everyone in it to the same individual rights as on British soil. As such, officers concluded that a ship could justifiably offer refuge to slaves even when they sailed in the territorial waters of slave-holding countries. To the great benefit of the naval corps, many slaves under their protection became crewmen and an understanding emerged whereby a fugitive slave was bound to the navy that liberated him.
In historical light, the practice raises several obvious questions. Foremost: was it legal? Were there limits to their freedom, and what occurred when they docked at slave-holding ports in the Gulf and stepped on land? These questions were raised in 1854 when a case was brought before the Bombay government involving a black slave who ran away from his owner in Bushehr and later returned to town as a coal trimmer aboard an Indian naval vessel. The documentation does not specify where the slave first sought refuge, though it does state that he eventually went to Bombay, and thereafter enlisted with the Indian Navy. In 1854, he arrived at the Bushehr port as a member of the Indian naval vessel, the Akhbar, commanded by Captain Kemball, a strong supporter of abolitionism. Upon entering the port, the slave left the ship to visit his wife and family in town. The latter convinced him to stay back in Bushehr whereupon he left his naval post without the acknowledgement or approval of his superiors. Soon thereafter, his ex-master asserted his legal claim over the fugitive slave and recaptured him. His wife then approached the Bushehr Resident to request them to negotiate his freedom (15). Local Persian authorities persuaded the owner to free his slave and allow him to return to the ship, thereby preventing both the incarceration of the fugitive slave and the possible scandal arising out of British employment of a legal slave (16). However, the following year a similar case arose, prompting Captain Kemball to solicit the opinion the Bombay Government council as to whether or not the intervention taken on behalf of the coal trimmer could act as a general precedent in the event that a fugitive crewman deserts ship. After much debate, the Bombay Consul declared that all fugitive crewmen were considered protégés of the British flag for “as long as they are serving in the Indian Navy, whether afloat or on shore, whether on duty or on leave (17)” They were also in agreement that a crewman placed that liberty in jeopardy if he took leave on his own which once again reveals the boundaries of freedom.

Consular agents did not anticipate that the growing awareness of their antislavery measures would prompt African slaves to seek assistance of their own accord. Yet, within the next few years following the 1851 treaty, legal slaves approached consular offices in the hope that the foreign authorities would intercede in their complaints which included re-sale, cruelty, and disregard for contractual terms of service. The humanitarian reflexes of the consular agents to harbour refugee slaves in the South were quickly tempered by the negative response from local leaders and the owning class. And in reality, their interventions on behalf of the runaways often resulted in disputes which hindered their diplomatic strategies to empower the Iranian government to accompany the country’s transition from slavery to a free society. Political realities however left agents to weigh their ethical responsibilities against diplomatic interests. Despite the growing resentment, consular agents were forced to continue. In light of the political reach of the European anti-slavery lobby, administrators could not be seen as acquiescing to the demands of Iranian slave holders.

In the ensuing years, other political and economic interests took precedence over antislavery activities, pushing the antislavery officers to find alternatives for fugitive slave protection. Consequently, the working policy developed into one that upheld the authority of the local courts to resolve fugitive slave claims unless extenuating circumstances - such as an allegation of harsh treatment or the social influence of the owner - necessitated that the slave remain in British custody. In the event that the slave was refused freedom in court but still maintained his/her right to liberation, s/he was to return to the Consulate. If upon investigation the Political Resident was convinced of the slave’s claims, the latter was issued a freedom certificate and offered slave asylum until their arrangements were made. For other petitions, records indicate that agents actively intervened in refugee cases although their efforts focused on negotiating better working conditions for the slave.

In response to the requests of acting patrollers, the British mission at Tehran sought new terms to empower cruisers. In 1882 (18), Nasr al Din Shah reinforced Iran’s commitment to curtailing slave trade by signing a new AntiSlavery Convention. The treaty dissolved the Persian Slave Commission (19) and instead granted Britain full rights to initiate and carry out its search and seizure activities on vessels with Persian flags or owned by Persian subjects. Iran stood out among antislavery circles as an example of British induced progress. For several years patrollers reported a significant drop in the influx of slaves to Iran. Nevertheless, by 1885 slave trade observations switched from optimism to bewilderment. Indeed they noticed a “marked increase” in regional traffic (20). During the final decades of the 19th century, abolitionist calls to suppress the traffic intensified. Opposition to the trade radiated throughout Western Europe, giving British activists more leverage to pressure FO officials to address slave traffic in the Indian Ocean networks. In 1889 delegates from seventeen countries met in Brussels to discuss standardisation of prohibitive measures against
slavery and slave trading. Zanzibar, Iran and Turkey attended this conference with the European colonial powers, demonstrating their willingness to co-operate on the matter.

As a signatory to the Brussels Act, Iran committed to upholding the agreement’s preference for manumission and protection of slaves of African origin. Nevertheless, the institution’s legal procedures required that the local courts and British officers continue to grant freedom on a case to case basis. To complicate matters further, at the turn of the century the Bushehr Residency faced the growing crisis of indebted Africans who, though legally free, were working in inhumane conditions (21). Hoping to escape their debt, African “free” pearl divers and crewmen sought refuge at the British Consulate under the pretext of seeking manumission. The picture that emerges is one of confusion and ambiguities of status between legal and illegal slave; between slave and debtor and between those that were able to access freedom, and those that could not. The need to draft individual methods to account for the particularities of each case created an entanglement of procedures for consular agents stationed in Iran and stirred debate within the administration. Even at the beginning of the 20th century, British officials debated the merits of freedom. In a 1908 circular, Captain James Rae, counselled:

“If a slave has served his master for a long time, the probability is that the cause of his desire for freedom is of recent origin and that reconciliation can be effected between master and slave by taking an agreement from the former to meet the slave’s wishes in some particular respect (22).”

In spite of its shortcomings, I would like to argue that the protection and manumission programme was a definitive component of the liberation of Africans enslaved in Qajar Iran. Its emphasis on the slave’s individual rights led to a heightened awareness among slaves of an alternative route to freedom, thus significantly challenging the status quo of the slave/free population. Referreeh procedures for Iran-domiciled slaves also gave the local slave population an impetus to better exploit court intervention. Confirmed by the numerous court referrals made by British agents, manumission petitions became a useful strategy for them to negotiate their status and their circumstances. By the turn of the 20th century, it was undeniable that the British antislavery project triggered a definitive shift in slaves’ perceptions of freedom. Indeed it no longer depended on relationships of reciprocity established with the owning family, or through loyal service, or based on the master’s good will. Freedom was an inalienable right.

In 1928, the legal institution of slavery was abolished in Iran. This meant that individuals no longer needed to request their liberty within Iranian borders; they were automatically free. A 1938 circular that replaced the previous guidelines ruled that Persian subjects could not apply for manumission certificates, as slavery no longer existed in Iran. Nonetheless, consular records still show that a small number of black slaves (23) continued to approach British agencies in search of their freedom.

Notes
1 From IOR R/15/1/157. The details of the case are supplied in the statements given by the two slaves at the Basaidu freed slave depot and from correspondence between Moollah Ahmed and the Persian Gulf Political Resident, Felix Jones.
2 IOR/15/1/157
5 with the exception of government vessels, which were granted immunity
6 Although no official amendment was inserted in the 1851 Agreement, an 1852 letter from the court was forwarded to the Political Residency at Bushehr granting the British agent permission to recruit Persian nationals for suppression efforts.
7 Details regarding the Persian Slave Commission are drawn from APAC, R/15/1/157 and R/15/1/177
In 1859 the Political Resident at Lingeh reportedly discovered that his Persian deputy had established a scheme to resell slaves in British custody. APAC R/15/1/177, pp. 156-9

It was later discovered that the court treasury had managed to “cleverly appropriate” bonus rewards paid out to Persian slave agents. Documentation does not state how or whether this matter was resolved, though it is clear that the Persian deputies continued to receive them. (ibid, p. 220)

A 1927 FO internal query on the status of refugee slaves as “protected persons” denied that slaves who received assistance qualified as officially recognised protégés, for much of the programme’s duration, British assistance was (theoretically) available for all slaves holding a British manumission certificate.

British guardianship was never intended as a durable solution. Rather, consulate-sponsored asylum functioned as a stepping stone toward their release into freedom. Although there is no precise documentation which states a definitive policy on post-detention arrangements for slaves, the collection of archival information strongly suggest that many slaves were either “repatriated” or relocated to Bombay.

Records give evidence that if an owner who successfully received his illegal cargo later got word that the crew captain had confessed to smuggling he would quickly sell off his newly arrived servants so as not to risk a fine.

A single clause appearing in the procedural section of the 1913 document “Manumission Procedures” APAC (R/15/1/215) stated that freed women slaves were sent to Bushehr’s ex-slave town quarter. Records do not provide any eyewitness accounts of the free slave quarters. Helpfully, Hakan Erdem’s study of Ottoman slavery supplies many insights into the living conditions of freed African slave residencies in Istanbul. I refer you to Erdem’s Slavery in the Ottoman Empire and its Demise: 1800-1909. McMillan: Basingstoke, 1996 pp.173 -185

Records indicate that a number of enslaved Baluchis sought intervention from the late 19th century onwards.