



## **Emancipation and its Legacy in Iran: An Overview\***

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### **Introduction**

*There is no doubt that many states and nations worldwide shared similar experiences in shifting from systems relying on slavery to those embracing emancipation. Many also encountered comparable challenges in the aftermath, especially in the repercussions associated with social and economic reconstruction. The nineteenth and twentieth centuries brought profound changes to traditional Middle Eastern societies as they adapted to western social, economic and political institutions. In particular, western legal codes often sat uneasily alongside existing customary and Islamic laws. And, yet, by stressing equality and shared citizenship, emancipation did succeed in breaking the chain of master-slave relations.*

In Iran, this transition began during the Qajar dynasty and reached its peak when modernization blended with nationalism during the Pahlavi regime. How was this liberation movement orchestrated? How did Iranians react to these changes? How did slaves adjust to the emancipation, and the social and economic changes? This article considers the strategies Iran adopted in dealing with constraints they faced during the process of liberation, starting with concerns about slave-master relations to those of international dominance and subjugation. I analyze this process from within, focusing on Iran's struggle for independence, its process of modernization and its maintenance of traditional values and social hierarchies. Central to these developments was the problem of female slaves, whose liberation was controversial and had – in part – to be preserved. I argue that the process created a dichotomy that forced legislators to maintain a careful balance in order to avoid social and economic disruptions. In this regard, historical periodicities will assist us in understanding the varying ways in which Iranian governments responded during the emancipation and post-emancipation period. The process of emancipation in Iran was based not on race, but on a class struggle and status recognition. This society was not divided along racial lines; indeed, the experience of black and white slaves testified to the vulnerability of all races. Rather, it was the global economic changes that affected the class structure and individual relations in Iran.

These did not manifest themselves in European colonization (as in Africa), but in constant political pressure and military incursions. Thus, during the early nineteenth century, the British responded to economic challenges in Iran by putting an end to slave trade and adopting philanthropic policies. First, they applied political pressure within the regions of the Indian Ocean (including Iran) to ban the trade of African slaves. Evidence of their failure to guarantee the liberation of these slaves reveals an overall inability to appreciate local values and cultures, especially with regards to slave women. History shows us that the imposition of British social standards in countries like Iran often concealed other motives. Thus, the manumission of slave wives may have been a progressive ideal, but it violated the « shari'a »<sup>(1)</sup>.

Similarly, the call for the emancipation of African slaves was believed to be driven by economic interests. For some slaves, liberation was viewed as a form of punishment. It is not unusual to read stories like that of Fasah, the kaniz and wife of the late Hajji 'Ali Khān, who felt that she and her 12-year-old child had been unjustly discharged and expelled from her master's house in 1905<sup>(2)</sup>. As such, the usual pattern was that slaves chose to remain with their owners if they were well-treated and enjoyed a measure of assimilation and well-being. If they were maltreated, they tended to escape or seek assistance of higher authorities<sup>(3)</sup>, as in the case of the eunuch Āghā Bashīr. He explained his reasons for requesting freedom in a letter dated 24 April 1899 to the British officials: « About fourteen, fifteen years ago, I was brought from Ḥabash to Iran. The late Şāhib Dīvān bought me and donated me to his daughter, the wife of Zāhīr al- Saltāna who is my current master, and the son of 'Azād al-Mulk.

He ... mistreat[s] and beat[s] me. I cannot tolerate [any] more than this, [and] I am requesting my freedom from the British embassy. <sup>(4)</sup> »

He was freed two days later <sup>(5)</sup>.

### **Continuity and Discontinuity**

The abolitionist process in Iran was gradual and complex, beginning in 1828 against the trade in Circassians and Georgians and culminating exactly 100 years later when slavery was declared illegal. It spanned two distinct historical periods – the Qajar dynasty (1795-1925) and the Pahlavi regime (1925-1979). Throughout the process, we can detect in the Iranian policies both steady support for abolitionism and also a degree of inconsistency in their implementation and use of various strategies. During the Qajar period, liberation was portrayed as being a selective process, with ethnicity and gender taking priority. Indeed, foreign pressure encouraged the liberation of African slaves but freeing female slaves was often dominated by internal, religious considerations. Importantly, the Qajars faced greater challenges within a feudal system where masters feared the loss of power and title than did the politicians of the Pahlavi regime. Without the latter's strengthening of central authority, emancipation could not have been achieved.

It was well-understood that the full liberation of female slaves could result in social disorder. Illiterate, socially isolated and lacking economically viable skills, these women were easy victims to sexual exploitation, as had been the case in Muslim Sudan <sup>(6)</sup>.

While, freed men could serve as soldiers or labourers, unskilled women could not live independently. The State-Nation was challenged by the Islamic society which wanted to prevent breaking-up of families and ensure that women enjoyed safe guardianship. Moreover, in the absence of modern social networks to shelter single women or to absorb them in the economy, the government had no choice other than to rely on traditional family institutions such as marriage to guarantee the protection of freed female slaves. In this early period of emancipation, the expression of freedom and civil rights tended to vary within society given the different religions, cultures, belief systems and social norms. The principle mandate of the state was to guarantee the dignity of female slaves and to ensure that this change would not bring chaos. Emphasis therefore was placed not on individual autonomy but rather in directing the entire nation toward social and economic security. While this "freedom" may have appeared limited to western eyes, the government's strategy allowed social control to be maintained while the grip of former owners over slaves was loosened.

Both regimes undertook the responsibility for directing the society's social and economic transition from slavery to wage-labour. The relatively low slave population in Iran did help to ease the slaves' adjustment to emancipation and its aftermath. Since the economic impact of emancipation was relatively insignificant, compensation to owners for freeing slaves was not considered. Although preserving social norms (especially in the presence of newly freed women) was the priority, the Qajars operated more cautiously than did the Pahlavi regime. Thus, during the Qajar period, the process of emancipation was characterized by conflict between the state and slaveholders with governmental officials vigilantly observing Islamic law and referring to cultural mores. As the Pahlavi regime was more attached to bureaucratic western values than to the nuances of Islamic law, it adopted a more rigorous approach to freeing slaves, regardless of gender, ethnicity or culture.

### **Religious Culture and Manumission**

To many Muslims, western attitudes to emancipation may have seemed contradictory. On the one hand, western abolitionists assumed the moral high-ground while, on the other they relied heavily on slave or near-slave labour to augment their commercial interests. It is important, therefore, to note that Iranian society routinely practiced manumission: cultural tradition, Islamic convention and « sharī'a » law all provided ways for slaves to be liberated <sup>(7)</sup> and offered their letter of freedom (« Āzād Nāmih ») <sup>(8)</sup>. Indeed, in the pre-emancipation era, liberation was considered to be a worthy humanitarian act, especially if granted on auspicious occasions, such as weddings <sup>(9)</sup>. Islamic law advanced legal rights to slaves, such as the right to marry or the right to request freedom <sup>(10)</sup>, and also supported the emancipation process in which slaves could become full citizens and achieve social prominence <sup>(11)</sup>. The Sharī'a law relied on Qur'ānic protocols and was responsible for guiding Islamic governments. One such protocol was the use of « zakāt » (alms) in eight situations, which included paying a slave's ransom <sup>(12)</sup>. However, although governments could justify involvement in an abolitionist campaign, in reality, emancipation tended to be granted on a selective, individual basis. Such occasions occurred as a penalty against a master, as articulated in several Qur'ānic verses <sup>(13)</sup>. Masters could undertake

religious expiation (« kaffāra ») for not fulfilling a Ramaẓān fast or vows taken (the law of Ṣadaqāt) to liberate slaves. The « maḥram »<sup>(14)</sup> (the law of Tamalluk Arḥām) ensured that a slave could also be purchased to be freed. The law of Istilād guaranteed that a female slave (« umm walad ») who had borne her master's child would be freed upon his death. According to the Qur'ān (v. 24/33), slaves also had the right to purchase their freedom through work (the law of Mukātibah).<sup>(15)</sup>

Various customs, cultural practices and societal expectations were inevitably challenged when western models of modernization were first proposed by the Qajars in the early nineteenth century, leaving many to wonder how occidental and Islamic laws could coexist. It therefore seemed prudent to adopt an approach that embraced the sharī'a. However, the responses policy-makers received when consulting jurists and « mujtahids » on the subject of emancipation reflected the ideological stalemate that characterized Iranian thought at a time, where materialistically driven reforms challenged traditional idealistic values. And yet emancipation did occur. « Ulama » such as Mullā Mīrzā Maḥmūd and Āqā Muḥammad Ja'far Tīhrānī favoured abolitionism by proclaiming that “the worst of men is he who sells slaves”<sup>(16)</sup> and that emancipation was worthy and honorable. The antislavery proclamations of Mīrzā Ḥusayn 'Alī (known as Bahā'u'llāh in 1873), Nur 'Alī Shāh Sānī, the leader and master of Gunābādī in 1914, and the anti-slavery discourse of constitutional thinkers in the 1900s paved the way for internal social transformations.<sup>(17)</sup>

Full emancipation finally occurred during the reign of Rizā Shāh Pahlavī in 1928 with the introduction of a bill in the assembly of the « Shurā-yi Millī ». All slaves henceforth were legally recognized as equal to people among all other social groups in Iran<sup>(18)</sup>. Importantly, legal emancipation conditioned common people into accepting the universality of the principles of equality and freedom.

### Post-Emancipation

Personal relationships between masters and slaves in pre-emancipation society were characterized by networks of loyalty and trust. Owners had been responsible for providing security, food and clothes and for arranging marriages. In the period following emancipation, former slaves came to be considered autonomous, self-determining individuals. Thus, the notion of emancipation marked the beginning of an era characterized by absence of social protection, economic and psychological support.

The emancipation process did not occur uniformly across the nation. Indeed, regional variations and physical environments influenced circumstances and individual responses. Of the socio-economic and demographic patterns that emerged, we find distinctions apparent especially in the north and the south and between rural and urban areas. Not only was the ratio of slaves in the south higher (with a concentration of small scale plantations) as compared to the north, but also the urbanized northern regions found many slaves employed in domestic service. In the rural areas and border provinces, factors that brought former masters and slaves together included kinship ties, lack of landownership and unemployment. African-born slaves, notably, experienced these conditions more directly. For instance, after emancipation, some societies – as in Baluchistan – categorized these people as belonging to ethnically lower social groups. Endogamous marriages that developed prolonged the transition. Later, such distinctions meant that certain physical characteristics, such as having dark skin with curly hair, were identified as tribal differentiations. Marriage with free people, by contrast, eased the absorption of slaves within larger societies and helped remove these kinds of barriers. In spite of the differences, fundamental similarities existed among the former slave populations. In rural areas, for instance, they contributed to the economy through fishing along the sea or working as agricultural labourers. From a former owner's point of view, freed slaves were in great demand during periods of labour shortage or in the event of emigration. Even before this, labour needs had intensified in response to the gradual realization of the abolition of African slave trade in the Indian Ocean. Many freed adult slaves from the Persian Gulf were taken to Bombay, while children were taken to a branch of the Church Missionary Society at nearby Sharanpur. As early as 1889, local authorities in Bombay sought other places to send the increased population of liberated slaves. The Indian government requested the British to send them to work on the sultan's plantations in Zanzibar and Pemba in East Africa<sup>(19)</sup>. The few who were sent were considered good means for labour: “Between February 1900 and May 1902, 35 manumitted slaves were dispatched from Masqat to Zanzibar, of whom only seven were sent by steamer.”<sup>(20)</sup> In addition to reflecting an important transition from slavery to wage-labour, this situation helps also to illustrate how the demand for labour shifted from the Persian Gulf back to East Africa. In urban settings, the new legal status of many former slaves did not immediately lead to cutting ties with former masters. Many slaves left by choice rather than by circumstance. Others, facing an obscure, independent future without private property and capital, chose to remain with their former masters. The relationship that ensued was a form of clientage (« walā' ») or voluntary

subordination without fixed remuneration for services) developed after a slave's liberation<sup>(21)</sup>. Notably, a former master's prestige and power did not conflict with those who now became domestic servants. The booming oil industry in mid-twentieth century accelerated modernization. Shifting from a traditional to an industrial society has provided job opportunities for all Iranians, including descendants of slaves. Similarly, economic circumstances in cities have profoundly influenced social and migratory patterns. Thus, as the job markets have expanded, slaves have more easily been able to detach from their former masters.

## Conclusion

We have seen that the process of emancipation went through two phases. The first move was characterized by a gradual abolition of slave trade in which the hold of slave-owners over their slaves was weakened. Thus, as the price of slaves increased and political retribution became a greater reality, society was more prepared to accept the ultimate and legal emancipation of slaves. In fact, the conditional and conservative approach of the Qajars caused the practice of slavery to wither away. The pace of change ensured that Iranians were gradually educated about new ideologies and were able to adapt themselves to new economic realities. Their opinions about human rights, freedom and individualism were altered and firmly entrenched by communicative and technological advances in later decades.

In 1928, when the abolition of slavery was legislated by parliament, slave owning practices had already been eroded. Reza Shah's legislation, however, secured against all future opposition, thus marking a turning point in the post-emancipation society.

## Notes

\* This article is based on the years of archival research and fieldwork in Iran that culminated in my doctoral dissertation: Behnaz A. Mirzai, "Slavery, the Abolition of the Slave Trade and the Emancipation of Slaves, 1828–1929" (Ph.D. diss., York University, 2004).

<sup>1</sup> Abulqāsim La'lfurūsh, the master of a female slave escapee, sent a petition to Mushīr al-Daula, demanding the return of his slave. He claimed that his authority was undermined, that the *sharī'a* made her his wife although the British abolitionist decree had rendered the marriage null and void. (Abulqāsim La'lfurūsh, File 4, Box 3, 3 Rabī al-Awwal 1319, Vizārat-i Umur-i Khārija-yi Īrān (hereafter VUK).

<sup>2</sup> The British Consulate, File 2, Box 3, 7 Muḥarram 1323, VUK.

<sup>3</sup> For instance, although the slave Mas'ūd was well-treated by his first master, his second master's maltreatment forced him to flee (The Statement of Mas'ūd, MA 1AB5T402, 26 May 1927, SAM).

<sup>4</sup> The Statement of Hājī Bashī, File 4, Box 3, 24 April 1899, VUK.

<sup>5</sup> A letter to Mushīr al-Daula detailed that Āghā Bashīr had been brought to Iran after the decree of 'Abīd and thus should be freed. (Although 'Abīd normally means "slaves" in Arabic, here it refers to the abolitionist *farmāns*.) See: the Minister of Plenipotentiary to Mushīr al-Daula, File 4, Box 3, Dhi al-Hajjah, 1316, VUK.

<sup>6</sup> For a discussion on the emancipation of female slaves in Sudan, see Ahmad A. Sikainga, "Shari'a Court and the Manumission of Female Slaves in the Sudan, 1898-1939," *The International Journal of African Historical Studies*, vol. 28, No. 1, 1995.

<sup>7</sup> Indeed, the Qur'ān described a system where the use of *zakāt*, or alms, provided for the freedom of slaves. Qur'ān, al-Taubah: 60.

<sup>8</sup> Jakob Eduard Polak, *Persien, das Land und seine Bewohner* (Leipzig: Brockhaus, 1865), 252.

<sup>9</sup> Polak, *Persien*, 250.

<sup>10</sup> Joseph Schacht, *An Introduction to Islamic Law* (Oxford: The Clarendon Press, 1964), 127; Muṣṭafā Husaynī, *Bardigī az Dīdgāh-i Islām* (Tihārān: Bunyād-i Dā'rat al-Ma'ārif-i Islāmī, 1372), 28.

<sup>11</sup> Qur'ān, al-Nūr:33.

<sup>12</sup> Qur'ān, al-Taubah: 60.

<sup>13</sup> Qur'ān, al-Mujādilah: 3; al-Mā'idah: 89; al-Nisā: 92.

<sup>14</sup> The Islamic law that understands one as being in a degree of consanguinity and thus precludes marriage.

<sup>15</sup> Schacht, *An Introduction to Islamic Law*, 129; Muhammad Hamidullah, *Introduction to Islam* (Paris: Centre Culturel Islamique, 1957), 127; Husaynī, *Bardigī az Dīdgāh-i Islām*, 39–43.

<sup>16</sup> Question to various priests, 1847, FO 84/692.

<sup>17</sup> Rasā'il Mashruṭiyat, ann. Ghulāmriżā Zargarī Nijād (Tihṙān: Kavīr, 1374), 304; Ḥāj Sulṭān Ḥusayn Tābanda Gunābādī, Nazar-i Madhhabī ba l'ġāmī'a-yi Ḥuqūq-i Bashār (Tihṙān: Pīrūz, 1354), 51; Bahā'u'llāh, The Kitāb-i-Aqdās (Pakistan, Bāhā'ī, 1997), 68.

<sup>18</sup> The decree issued by the Assembly of the *Shurā-yi Millī*, 1929, Sāzmān-i Asnād-i Millī-yi Īrān (hereafter SAM) 91–109/3.

<sup>19</sup> J.G. Lorimer, *Gazetteer of the Persian Gulf and Central Arabia* (Calcutta: Superintendent Government, 1915), 2491; Sir Arnold T. Wilson, *The Persian Gulf* (London: George Allen & Unwin, 1959-[1928]), 230.

<sup>20</sup> Lorimer, *Gazetteer of the Persian Gulf*, 2491.

<sup>21</sup> Paul E. Lovejoy, *Transformations in Slavery: A History of Slavery in Africa* (Cambridge: Cambridge University Press, 2000), 5; and Schacht, *An Introduction to Islamic Law*, 130.

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