

**The Social and Economic History of Slavery in Libya**  
**(1800- 1950)**

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## Table of Contents

<b>Illustrations.....</b>	<b>5</b>
<b>Abbreviations .....</b>	<b>6</b>
<b>Abstract.....</b>	<b>7</b>
<b>Declaration.....</b>	<b>8</b>
<b>Copyright Statement.....</b>	<b>9</b>
<b>Acknowledgements.....</b>	<b>10</b>
<b>A Note on Transliteration.....</b>	<b>12</b>
<b>Terminology.....</b>	<b>14</b>
<b>Introduction .....</b>	<b>17</b>
Mediterranean Slavery and its Sources .....	24
Histories of the Slave Trade in Libya .....	31
John Wright and the Debate on the Libyan Slave Trade .....	39
Historiographies of the End of Slavery in Africa .....	41
The Meaning of Slavery in Libya .....	47
Sources.....	52
Outline for the Thesis.....	60
<b>Chapter One: Trading in Slaves .....</b>	<b>63</b>
Introduction.....	63
1.1 Ghadames .....	66
1.2 Historiography of the Caravan Trade .....	72
1.3 Correspondence and Commerce.....	81
1.4 Responses to the Abolition of Slavery .....	87
Conclusion .....	100

## **Chapter Two: The Legal Status and Social Life of Slaves in Libya.....102**

Introduction.....	102
Slavery in the Islamic Legal System.....	106
2.1 Working Lives of Slaves .....	110
2.1.1 Domestic Servants .....	110
2.1.2 Caravan Workers .....	116
2.1.3 Slave Demography in Libya .....	121
2.1.4 Rental of Slaves .....	125
2.1.5 Wet Nursing.....	127
2.2 Resistance .....	128
2.2.1 Runaway of Slaves .....	128
2.2.2 Theft by Slaves .....	131
2.3 Master-Slave Relations.....	133
2.3.1 Patronage .....	136
2.3.2 Abuse .....	139
2.3.3 Marriage.....	143
Conclusion .....	145

## **Chapter Three: Patterns of Emancipation .....147**

Introduction.....	147
3.1 Piety Emancipation.....	156
3.2 Self-Purchase .....	162
3.3 Deferred Manumission .....	164
3.4 Manumission of Concubines .....	166
3.5 Papers of Emancipation.....	174
Conclusion .....	175

## **Chapter Four: The Aftermath of Manumission.....177**

Introduction.....	177
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4.1 Post-Emancipation Economic Ties.....	179
4.1.1 Caravan Workers .....	180
4.1.2 Wage Labourers .....	184
4.1.3 Clientship and the Economic Lives of Former Slaves.....	188
4.1.4 Child Labour .....	194
4.2 Social Life in Post-Emancipation Libya.....	198
4.2.1 <i>Al-Wala'</i> : Clientship .....	198
4.2.2 Marriage .....	201
4.2.3 Divorce .....	205
Conclusion .....	209
<b>Conclusion.....</b>	<b>211</b>
<b>Bibliography .....</b>	<b>218</b>
<b>Appendixes.....</b>	<b>237</b>
<b>Appendix 1 .....</b>	<b>237</b>
<b>Appendix 2 .....</b>	<b>243</b>
<b>Appendix 3 .....</b>	<b>244</b>
<b>Appendix 4 .....</b>	<b>261</b>
<b>Appendix 5 .....</b>	<b>262</b>
<b>Appendix 6 .....</b>	<b>263</b>
<b>Appendix 7 .....</b>	<b>264</b>

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### **Illustrations**

Map one: Trans-Saharan trade routes in the nineteenth and early twentieth centuries, p.13. Source: Ali Abdullatif Ahmida (ed), *Bridges across the Sahara: Social, Economic, and Cultural Impact of the Trans-Sahara Trade during the 19th and 20th Centuries* (Cambridge Scholars Publishing, 2009).

Table one: Terminology, pp.15-16.

Table two: Number of Ghadames merchants settled in different regions of Africa, p.70. Source: Muhammad al-Hasha'ishi, *Jala' al-Karab 'an Tarabuls al-Gharb* (Beirut: Dar Lebanon, 1965).

### Abbreviations

FO	Foreign Office
MLMDT (T)	<i>al-Markaz al-Libi lil-Mahfuzat wa al-Dirasat al-Tarikhiya</i> [Libyan Center for Archives and Historical Studies] Tripoli
MLMDT (G)	<i>al-Markaz al-Libi lil-Mahfuzat wa al-Dirasat al Tarikhiya</i> [Libyan Center for Archives and Historical Studies] Ghadames
MG	<i>Mahkama Ghadames</i> [Ghadames Court]
NA	National Archive
QA	<i>Qism al-Arishif</i> [Department of Archive]
QWA	<i>Qism al-Watha'iq al-'Arabiya</i> [the Department of Arabic Documents]
QWJ	<i>Qism al-Watha'iq al-'Ajnabiya</i> [the Department of Foreign Documents]
SMSTG (T)	<i>Sijillat Mahkama Shari'iya Tarablus al-Gharb</i> [The Registers of Tripoli Legislative Court]
SMGS	<i>Sijillat Mahkama Ghadames Shari'iya</i> [The Registers of Ghadames Legislative Court]

## **Abstract**

This thesis investigates the social and economic history of slavery in Libya in the period between 1800 and 1950. Focusing on Tripoli and the trading centres of Ghadames and Fezzan, it uses a combination of sources including legal records, travel accounts, commercial correspondence, memoirs and oral interviews to examine the impact of the slave trade, the economic and social lives of the enslaved, and their experiences of emancipation.

Examining the trading of slaves in Ghadames, the thesis reveals how merchants considered slaves one commodity among others. It analyses how the slave trade continued until the Italian occupation of Libya in 1911, long after the formal prohibition of the trans-Saharan slave trade in 1856. Despite a long-term decline, caravan trading networks remained somewhat resilient and continued with alternative commodities such as ivory and ostrich feathers.

This thesis then moves to analyse the social and economic lives of the enslaved, and the legal status of slavery in Libya. It explores the dynamics of employment, resistance by slaves and master-slave relations by analysing two major categories of slaves, who were treated considerably differently; those who worked in the caravan trade in Ghadames, and those slaves who worked as domestic servants in Tripoli.

Many existing sources showed the differences in social relationship between slaves and masters. Different occupational categories, such as caravan workers and domestic servants, had different access to patronage, or experiences of abuse and violence. Oral interviews reveal that slaves in Tripoli experienced less violence compared to those in Ghadames and Fezzan in the nineteenth century. However, mistreated slaves had the right to a court hearing. The court provided a platform for slaves to challenge abuse, with some slaves seeking to push these boundaries further by going to court to assert their rights to better treatment by their owners.

The third chapter explores the patterns of religious and economic manumission that existed in Libya before the abolition of slavery. It also traces changes of policies of emancipation that pursued by Ottoman and Italian governments. Finally, the thesis explores the social history of emancipation through examining the economic and social lives of communities of freed slaves.

Through surveying a large number of legal cases, the thesis argues that slavery in Libya was marked more by continuities than change across the period of study. The legacy of slavery has persisted over time as relations of clientship between ex-slaves and ex-masters replaced direct relations of ownership. This thesis shows the difficulties faced by slaves in negotiating for clientship (*al-wala'*) from their former masters. Some ex-slaves unquestionably improved their status with a substantial minority experiencing social mobility as caravan workers and agents, while others remained ill-treated, with irregular work and subsistence wage labour; living on the margins of Libyan society.

### **Declaration**

No portion of the work referred to in the thesis has been submitted in support of an application for another degree or qualification of this or any other university or other institute of learning.



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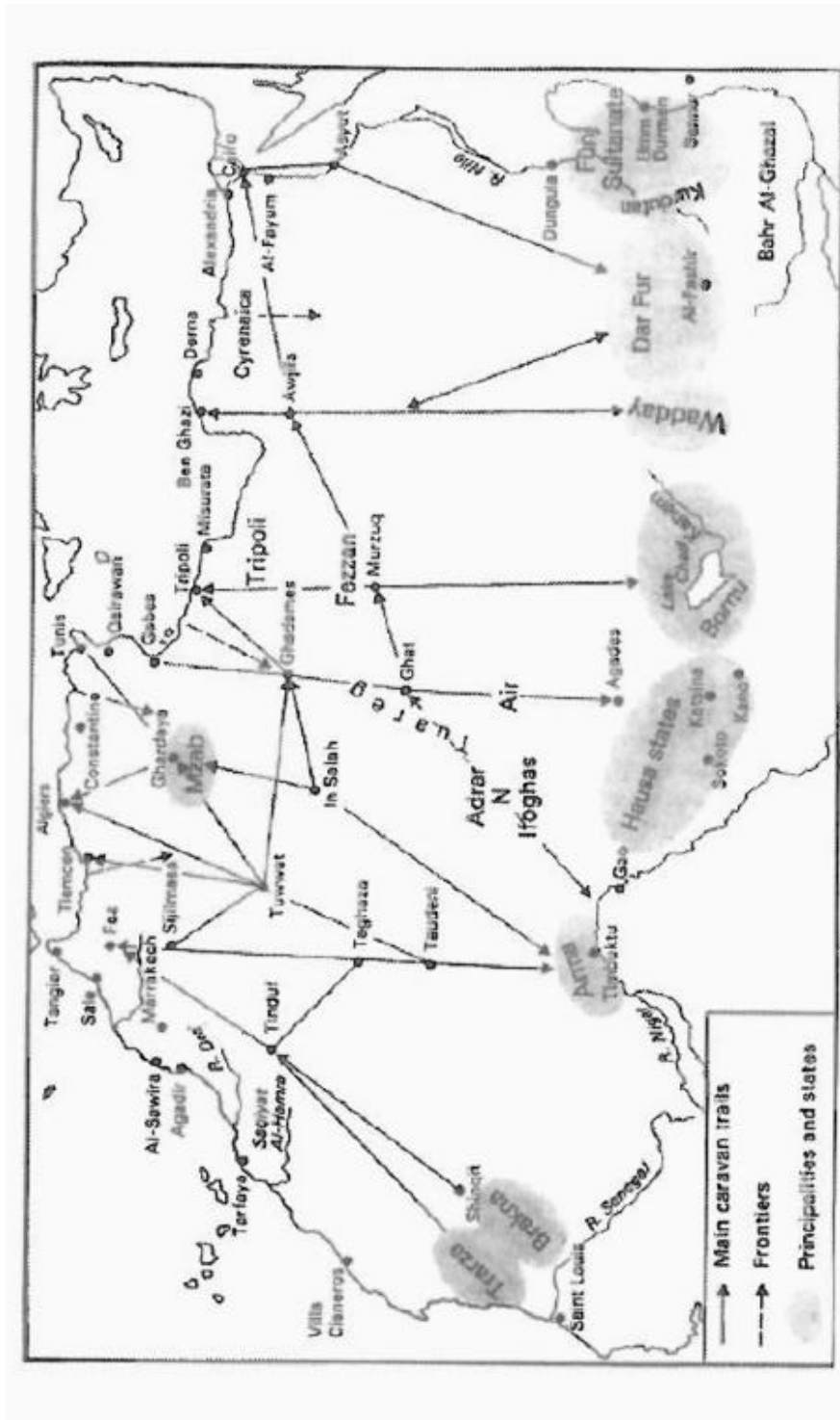
Great thanks to my family back home for their emotional support, none of this would have been possible without the love and prayers of my mother, thanks also to all my sisters and brothers particularly Aisha, Joma and Nadia for their friendship and continued support. Great thanks to my niece Hana and her husband Dr. Zakriya for their support. Great thanks to my husband Dr. Muamar for his emotional support.

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### **A Note on Transliteration**

The transliteration system adopted in this thesis is in accordance with the *International Journal of Middle East Studies* (IJMES) but without diacritical marks (macrons and dots). Exceptions to this system of transliteration are widely used names and place names with accepted English spellings will be spelled in accordance with English norm, such as “Ghadames” instead of “Ghadamis” and “Fezzan” instead of “Fazzan”.

Throughout this thesis I use “bint” instead of “daughter of” and “ibn” instead of “son of” when writing the names of women and men. The Islamic (*Hijri*) calendar was current in Libya and the period considered in this study. As much as possible, I have attempted to supply exact dates in both the Gregorian and Hijri calendars, placing the latter first.



Map one: Trans-Saharan trade routes in the nineteenth and early twentieth centuries; Ali Abdullatif Ahmida (ed), *Bridges across the Sahara: Social, Economic, and Cultural Impact of the Trans-Saharan Trade during the 19th and 20th Centuries* (Cambridge Scholars Publishing, 2009), p. xv.

## Terminology

In Libya the overarching status of ‘slave’ had considerable semantic range, covering several distinct categories (see table 1). Generally in Arabic, male slaves were referred to as *‘abd* (plur. *‘abid*) whereas female slaves were referred to as *khadim* (plur. *khuddam*) or *jariya* (plur. *jariyat* or *jawari*). These generic terms specifically applied to a male or female slaves working in domestic service. Concubines who bore their masters a son were known as *umm al-walad* which literally means ‘mother of the son’, and unlike any other category of slaves, they were to be automatically freed at their master's death.<sup>1</sup> These are the terminologies that most easily map into the Qur’an and Islamic legal texts that discuss the regulation of slavery.

Of course, from the social history of slavery in Libya, local terminologies give the understand that the status of slaves was also extremely important, in Ghadames, the term *ghulam* (plur. *ghulman*) was a common epithet for a young male slave or freed slave between the ages of ten and fourteen who worked as a courier and caravan worker for merchants of Ghadames.<sup>2</sup> The equivalent term for young female slaves of similar age was *ama* (plur. *ima*). But for slave marketing (commerce), slaves were divided into categories according to their ages, some traders respectively used the terms *sadas* and *sadasiya* to refer to young slave boys and girls between the ages of twelve and fifteen years.<sup>3</sup> The equivalent terms commonly used among traders from Libya were *saba*‘ and *saba*‘iya for a male and female slave respectively. This was specifically for slaves recognized to be between sixteen and eighteen years of age.<sup>4</sup>

The local terminologies used for slaves also give a very interesting and important perspective, as some local terms of slavery increasingly applied to racialized categories of people. For instance, there were other social categories of

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<sup>1</sup> MLMDT (T), QA, SMSTG, No.1011, starts from 18-Muharram-1270 (21-October-1853) to 26-Ramadan-1270 (22-July-1854), pp.7, 23, 60; Ibid, No.1388, starts 1-Rajab-1252 (12-Oct-1836) to 3-Rajab-1254 (22-Sep-1838), pp. 16,77,100; MG, SMGS, 1316-1324 (1898-1906), pp. 161-162.

<sup>2</sup> Interview with Khalid, by Amal Altaleb, Ghadames, 17, 18/7 /2012; MLMDT (G), Collection of Hiyda family, doc.no. 2, 8, 9, 14, 2360.

<sup>3</sup> Muhammad ‘Umar Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima’iya wa al-Thaqafiya fi Madina Ghadames Khilal al-‘Ahd al-‘Uthmani al-Thani* (Tripoli: al-Markaz al-Libi lil-Mahfuzat wa al-Dirasat al-Tarikhiya, 2009) p. 162; Gustaf Nachtigal, *al-Sahra’ wa Bilad al-Sudan*, vol.2 (Tripoli: al-Markaz al-Libi lil-Mahfuzat wa al-Dirasat al-Tarikhiya, 2011), p. 305. On the other hand Ghislaine Lydon stated that this term for slaves who were younger on the age between ten and twelve years-old. Ghislaine Lydon, ‘Slavery, Exchange and Islamic Law: A Glimpse from the Archives of Mali and Mauritania’, *African Economic History*, 33 (2005), p. 143.

<sup>4</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

slaves such as *'attara* and *humran* in Ghadames, which are specific to local languages in Libya. *'Attara* was a word used in Ghadames for the class of offspring of emancipated slaves, whereas *humran* was a term used for the class of descendants of the Arab settlers in Ghadames. However, the latter married slaves and consequently had coloured skin slaves.<sup>5</sup>

Furthermore, in Tripoli, *zinji*, *shwshan* were terms for male slaves and *zinjiya* and *shwshana* were for female slaves, which in the Libyan context have racist connotations. These terms had been used in majority of court records in Tripoli to describe freed slave after their emancipation, in contrast to free born people who were simply described as free individuals.<sup>6</sup> Similarly in Fezzan ex-slaves who worked as sharecropper with landowners were called also *shwashna*.<sup>7</sup> Also, freed slaves in Fezzan known as *fazazna*.<sup>8</sup> The name *jabbad* (plur. *jabbdun*) also applied to people who were poor and were former slaves in Fezzan. Such ex-slaves were tasked with fetching water from wells to irrigate farmland in exchange for a share of the crop according to initial agreement.<sup>9</sup>

Table: 1 Terminology

Term	Definition
<i>'Abd</i> (plur. <i>'abid</i> )	Male slave
<i>Khadim</i> (plur. <i>khuddam</i> ) or <i>jariya</i> (plur. <i>jariyat</i> or <i>jawari</i> )	Female slave
<i>Umm al-walad</i>	Concubines who bore their masters a son
<i>Ghulam</i> (plur. <i>ghulman</i> )	A young male slave between the ages of ten and fourteen. Also for a male slave or freed slave working as caravan worker or a courier for merchants in Ghadames

<sup>5</sup> Charles Dickson, 'Account of Ghadames', *Journal of the Royal Geographical Society*, 30 (1860), p.257

<sup>6</sup> (MLMDT) T, (QA), (SMSTG) No. 13 (1836-1853), pp. 2, 74, 75, 79, 100; No.143 (1870-1872), p. 143; No.15 (1838-1841), p. 37.

<sup>7</sup> Ali Abdullatif Ahmida, *The Making of Modern Libya: State Formation, Colonization and Resistance, 1830-1932* (Albany: State University of New York Press, 2009), pp. 69-70.

<sup>8</sup> Interview with Muftah, by Amal Al-Taleb, Tripoli, 8/1/ 2013.

<sup>9</sup> MLMDT (T), QA, QWJ, The Annual Report by the French Government for the region of Fezzan in 1950, p. 14.

Term	Definition
<i>Ama</i> (plur. <i>ima</i> ')	A young female slave between the ages of ten and fourteen
<i>Sadas, sadasiya</i>	Young slave boys and girls between the ages of twelve and fifteen years
<i>Saba</i> ', <i>saba</i> 'iya	Male or female slaves who recognized to be between sixteen and eighteen years of age
<i>Humran</i>	A class of descendants of the Arab settlers in Ghadames
<i>'Attara</i>	A class of off spring of freed slaves in Ghadames
<i>Zinji, shwshan</i>	Male slaves/ freed male slaves (Tripoli)
<i>Zinjiya, shwshana</i>	Female slaves/ freed female slaves (Tripoli)
<i>Shwashna/ Fizazna</i>	<i>Shwashna</i> was a term for former slaves who worked as sharecropper with landowners, and <i>fazazna</i> was a term for freed slaves (Fezzan)
<i>Jabbad</i> (plur. <i>Jabbdun</i> )	Peasant or ex-slave hired to irrigate a farm in exchange for a share of the crop (Fezzan)



## Introduction

On the 15 Muharram, 1327 (6 February, 1909), *al-zinjiya* Mariam bint ‘Abdullah, an emancipated female slave of al-Hajj ‘Umar ibn al-Hajj Khalifa, brought a case of neglect against her husband ‘Uthman ibn Abibakr al-Sudaniy at the Tripoli court. She was supported in court by the presence of her ex-master, and his provided testimony on her behalf, which suggests that a relationship still persisted between them. She claimed that her husband had abandoned her without maintenance for four months. To this her husband responded that they had been divorced through *talaq bi al-thalatha* (repudiation) for ten days, and that he only owed her 4 ounces of silver and 4 French *lira* as her bride price, and 60 *qrish* as her alimony – of which he had paid 31 *qrish*, as indicated in the court record.<sup>10</sup> This case demonstrates the close social relationships between free-born citizens of Tripoli and their former slaves, and specifically the importance of patronage that freed slaves of Tripoli could enjoy from their former owners. This incident shows why a social history of slavery in Libya is needed, to analyse both the economic, familial, social, cultural and political relationships that shaped by interactions between free and enslaved in North Africa and the Islamic world.

Many scholars have researched the history of slavery in Libya and the Mediterranean. In particular John Wright and Muhammad Marwan present contrasting views about how slaves were perceived in trade.<sup>11</sup> These scholars participate in a much broader, comparative discussion of slavery and its end around the world. Terence Walz, ‘Imid Hilal and Mohammed Ennaji wrote about the social life of slaves in the Mediterranean and North Africa, while Paul Lovejoy, Jan Hogendorn, and Frederick Cooper investigated manumission and abolition in Africa.<sup>12</sup> Suzanne Miers and Richard Roberts argue that the effect of the abolition of

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<sup>10</sup> *Qrish* (pl.*qursh*) was one of the main currencies used during the regency period in Libya. Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, p.229; MLMDT (T), QA, SMSTG, No: 394,1327(1909), p. 9.

<sup>11</sup> John Wright, ‘*Nothing Else but Slaves: Britain and the Central Slave Trade in the Nineteenth Century*’ (unpublished doctoral thesis, SOAS University, 1998); John Wright, *The Trans-Saharan Slave Trade*, (London and New York: Routledge, 2007); Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*.

<sup>12</sup> Terence Walz, ‘Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century’, in *Bridges across the Sahara: Social, Economic, and Cultural Impact of the Trans-Sahara Trade during the 19th and 20th Centuries*, ed. by Ali Abdullatif Ahmida (Newcastle upon Tyne, UK: Cambridge Scholars Pub, 2009), pp. 79-110; ‘Imad Hilal, *al-Raqiq fi Misr fi al-Qarn al-Tasi* ‘*Ashar* (Cairo: Dar al-‘Arabi lil-Nashir wa al-Twziy’, 1999); Mohammed Ennaji, *Serving the Master: Slavery and Society in Nineteenth-Century Morocco*, Trans. by Seth Graeber (Basingstoke: Macmillan, 1999); Frederick Cooper, *From Slaves to Squatters: Plantation Labor and Agriculture in Zanzibar and Coastal Kenya*,

slavery cannot be generalised because it had different impacts on different people.<sup>13</sup> Yet in comparison to the literature on slavery in the Atlantic and America, which explores the social, cultural and work life of slaves, existing literature on the history of slaves in the Mediterranean and North Africa especially Libya, is limited by scarce resources, methodological problems, stigmatization of those involved in slavery, as well as language and cultural barriers. Such studies as exist suffer from a narrow research focus, notably a preoccupation with slaves as a commodity. These studies have focused too narrowly on the slave trade itself, without considering the wider context of social history, processes of emancipation, and the relationships between the slave trade and other forms of trading. Therefore, these research studies do not give comprehensive data about slavery in Libya. For example, Wright and Marwan used different sources and provided different approaches on analysing the slave trade in Libya, and demonstrated how the slave trade changed over time. Based on Western resources such as consular reports, Wright was of the opinion that slaves were a major commodity of the caravan trade owing to their price and demand. On the contrary, Marwan's research saw the slave trade as just a part of the caravan trade, owing to his doubt in the credibility of the sources used by other scholars.

This thesis uses a combination of sources that will allow for a more comprehensive understanding of social and economic life of slavery in Libya, as well as the process of emancipation. It adopts the approach of Ghislaine Lydon, who utilised different sources including interviews and documents to study the Wad Nun regional trade network. It acknowledges and uses findings of consul reports verified by court records, travel accounts, Ghadames documents, the memoirs of Hassan al-Faqih Hassan and oral interviews. These sources can allow us to better understand slavery, and in particular the social and economic life of slavery in Libya, and the process of emancipation.

The aim of this thesis is to analyse and present slavery in Libya, in particular in Tripoli, Fezzan and Ghadames, through local historical sources and thus provide a better insight than would be available through a broader geographic focus. It looks at

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1890-1925 (New Haven and London: Yale University Press, 1980); Paul E. Lovejoy and Jan S. Hogendorn, *Slow Death for Slavery: The Course of Abolition in Northern Nigeria, 1897-1936* (Cambridge: Cambridge University Press, 1993).

<sup>13</sup> Suzanne Miers and Richard Roberts (eds), *The End of Slavery in Africa* (Madison: Wisconsin University Press, 1988).

the slave trade, the social history of slavery, manumission, and abolition. This strategy helps to give a critical view of slaves as a social reality that affected people's ways of life, rather than as a traded commodity. That is to say, the history of slavery and emancipation in Libya is the immediate topic of this dissertation. This subject matter intersects with the wider scholarly literature on slavery in the Mediterranean and in sub-Saharan Africa. Both literatures face the challenge of narrating local histories of slavery in Western scholarly terms. The forces that most clearly make that history translatable into English and Western European emerge from how abolition was institutionalised in Europe, America and European colonies. These provide the languages and frameworks available for developing the histories of slavery more generally, but they emerged in the history of Atlantic chattel slavery and the political context of Western abolitionism, which are not necessarily applicable to Islamic and/or African slave systems. These historical forces applied to Libya in somewhat limited ways. Hence the history, conceptual vocabulary, and processes that governed slavery and emancipation in Libya are also different. This makes it hard to discuss the topic in English, and even harder for readers who originate from the Atlantic chattel slavery system because most of what is discussed is often foreign.

As in North Africa and the Middle East, slavery was a set of practices governed by Islamic law, and was determined by the slave trade that operated throughout the Islamic world. The effects of Italian colonialism on slavery and the emancipation of slavery in Libya were relatively limited since colonialism started late in 1911 and facets of historical transformation had already begun.

This study will investigate slavery and the consequences of its abolition in Libya between 1800, when Libya was under the power of Ottoman Empire, and 1950, when Libya gained independence after Italian colonization (1911-1943), and the post war British and French administrations (1943-1950). During this century and a half, there were two key shifts in state policy on slavery when in 1856 when the Ottoman Empire committed itself to abolish slavery and in 1911 when Italy formally ended slavery.

Although slavery had a long history in the region, predating even the first trade across the Sahara around 300CE, the nineteenth century represents a distinctive

period in this long-term history and is an obvious point of departure; the nineteenth century was a period of violent upheaval in the West African Savanna and Ethiopia. From Senegambia in the west to the Red Sea in the east, a series of holy wars (*jihads*) began in 1804 and transformed most of this region. Slavery played a vital role in that transformation. Islamic reform movements ushered in much religious warfare from that point onward, increasing both slave export from west Africa demand in Libya. While these changes most obviously affected the traffic in slaves, ultimately, humans were one of the commodities in the wider and more complex caravan trade linking North and West Africa. Slaves were one of the important commodities traded along these caravan routes from the Saharan oases (Ghat, Ghadames, Murzuq and beyond) to the coast of Tripoli during the first half of the nineteenth century. But traders and the states regulating them understanding the caravan trade as multifaceted. In the nineteenth century what was perceived as the Ottoman Empire's concern to regulate the traffic in slaves was actually only due to the interest of authorities in the tax revenue from different portions of the caravan trade.<sup>14</sup> After the Vienna Conference in 1815, Britain in particular became interested in controlling the caravan traffic, and became increasingly absorbed in attempting to decrease slave traffic.<sup>15</sup> As the century progressed, Ottoman concern also became more targeted on slavery, largely from international pressure.

Global pressures toward slave trade abolition driven by European powers resulted in a series of conferences to discuss and enforce the prohibition of the slave trade. These forces placed of Ottoman rules in a quandary, facing conflicting pressures from abolitionists European on one hand, and potentially rebellions Libyan slave-owners and traders on the other. Balancing the fear of losing the territory of Libya and other provinces, and the pressure on the Ottoman Empire to abolish slavery, the Ottoman governor (*Sultan*) in 1856 decided to sign the Convention against Slavery which was sent to all districts. 'Uthman Muzhir, the Ottoman ruler in

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<sup>14</sup> John Wright, 'The Mediterranean Middle Passage: The Nineteenth Century Slave Trade between Tripoli and the Levant', *Journal of North African Studies*, 1(1996), p. 44; Rajab Nusayr al-Abyad, *Madina Murzuq wa Tijara al-Qawafil al-Sahrawiya Khilal al-Qarn al-Tasi* 'Ashar: Dirasat fi al-Tarikh al-Siyasi wa al-Iqtisadi (Tripoli: Markaz Dirasat Jihad al-Libiyin, 1998), p. 258; Kola Folayan, *Libya Athna' Hukim Yusuf Pasha al-Qaramanli*, Trans.by 'Abd al-Qadir Mustafa al-Mahiyshi (Tripoli: Markaz Dirasat Jihad al-Libiyin did al-Ghazu al-Itali, 1988) p. 120; Wright, 'The Mediterranean Middle Passage', p. 43, Ahmad Sa'id al-Fituri, *Libya wa Tijara al-Qawafil* (Tripoli: al-Idara al-'Ama lil-Athair, Wazarit al-Ta'lim wa al-Tarbiya, 1972), pp. 20-21,55.

<sup>15</sup> Ettore Rossi, *Libya Mundhu al-Fath al-'Arabi hatta Sanat 1911*, trans. by Khalifa al-Tillisi (Tripoli: Dar al-Firjani,1974) pp.448-451; Wright, *The Trans-Saharan Slave Trade*, pp.153-162.

Tripoli sent letters to all cities in Libya informing them that slave trade was abolished.<sup>16</sup> Abolition was more a diplomatic device for international consumption than it was a practical change. Although the slave trade was officially marginalised, it persisted long after its abolition. By roughly the 1820s, the trans-Saharan slave routes had maintained a stable level until it finally ended in practice as well as in the theory. The first formal abolition of slave trade in 1856 does represent genuine transition, but not an absolute one. But, the abolition law was not implemented until the Ottoman ruler Ahmad Rasim Pasha, who assumed power in Libya 1881-1898.<sup>17</sup> He declared in 1896 that, as a result of the international restriction on the Libyan slave trade, all slaves should be freed, and severe punishment would be handed down to anyone who dealt in slaves.<sup>18</sup> The quantity of slaves traded through Libya diminished, but their use amongst local notables persisted until the Italian occupation of Libya in 1911. This thesis will demonstrate that although slavery was formally abolished between 1856 and 1911, in practice, there was very little change in the social lives of slaves, or indeed in the formal status that underlined the institution of slavery. That transformation would become more radical in the period after 1911 during the Italian colonisation and then British and French administrations.

Even in the Italian period and after the legal prohibition of slave dealings hardened, making slavery became even harder for masters to maintain their slaves, there existed a tenacious category of people who continued at a lower degree of slavery to earn their living. For instance, a slave who no longer belonged to his master sometimes established and maintained a relationship of patronage with his master while working as his client. Such people were formally free, but their clientage was itself a stigmatised status that was increasingly understood in racialized terms. Moreover, a stigma exists on those Libyans descended from slavery. Testimony from the British vice-consul in Ghadames and travel accounts analysed in this research are echoed in contemporary interviews.

These transformation in the social status of the population of slaves to former slaves meant that the formal institution of slavery and the regulation of those statuses

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<sup>16</sup> 'Umar ibn Isma'il, *Inhiyar Hukim al-Usra al-Qaramanliya fi Libya 1970-1835* (Tripoli: Maktabat al-Firjani, 1966), p. 198, Folayan, *Libya Athna' Hukim Yusuf Pasha al-Qaramanli*, p.120, Marwan, *Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 332-334.

<sup>17</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 332-334.

<sup>18</sup> MLMDT (T), QA, *al-Silnama* [annual report], vol.no. 12, Tripoli, 1312 (1896), pp. 195-196.

under the Islamic law no longer applied. Nonetheless the maintenance of servitude persisted long after the abolition of slavery. In other words, this thesis will argue that manumission did not have a significant impact on the social life of former slaves since their experiences after manumission were marked by continuity until 1950 and the legacy of slavery persisted over time. The relationships of clientship between ex-slaves and ex-masters discussed in this thesis persisted for a long time after the abolition of slavery.

This dissertation studies the long term history of slave statuses in the Islamic system. It first investigates the history of the caravan trade in Libya. It does so because the caravan trade was a means of transporting slaves into Libya, and also because Libya was a country in which these slaves were being used. It also analyses the Islamic law system that governed treatment of slaves and the many patterns of emancipation. It also provides a perspective on less formal systems, namely customs that governed treatment of slaves and the social purposes for which slaves were used. Thus, this approach will cover the patterns of manumission, especially how the ways in which slaves were emancipated throughout the nineteenth century continued to govern formal practice of emancipation after 1856 and after the establishment of Italian colonialism. Examining these processes of manumission reveals how they transformed the lives of slaves. The political changes that took place in Libya from the end of the nineteenth century and onward are the ultimate forces which governed the lives of freed people after they had left slavery, and ultimately those which have determined the lives of slave descendants in Libya until the present day.

In its discussion of historiography, this introduction brings together four different and separate bodies of literature; two sections explore debates on the caravan trade, one section discusses slavery in the Mediterranean, and the fourth section provides insight into slavery and its end in Africa. The comparison with other systems of slavery is essential for a global understanding of the African diaspora. Finally, this introduction explains the outlines and methodology of the thesis.

The first section of the literature review looks at Mediterranean slavery. A number of scholars have used sources such as court records, oral testimonies, documents and census data to study the history of slavery in the Mediterranean and

North Africa. They provide data about legal practices, the social life of slaves, and the relationship between slaves and masters. However, so far little attention has been paid to the social lives of slaves in Libya. Yet these existing works remain relevant to my project, because Libya is both part of the Mediterranean world and the slave route. Therefore, understanding these studies, and relating them to the sources used in this research will help us to better understand the history of slavery, not just in Libya but also in the wider Mediterranean economy.

The second and third sections of the literature review explore the caravan trade and challenge Western scholars who used Western sources such as council reports to talk about imperial history. For example, John Wright's study of the caravan trade stated that this trade was driven by the expansion of empire.<sup>19</sup> This led Western academics to believe that there was a moment in the mid-nineteenth century when foreign sources tended to exaggerate the size of the slave trade in Ottoman North Africa. For example, Ahmida argued that foreign sources tended to exaggerate the size of the slave trade in Ottoman North Africa, arguing that Britain used the existence of slave trade to justify its colonial expansion in the Sahara in the nineteenth century.<sup>20</sup>

In contrast, Libyan scholars who used Arabic sources, such as Marwan, moved from imperial history to national history. Although Marwan did not engage with Wright's study, he provides a new approach on the slave trade which reveals that slaves were not independent from other trade commodities, and that trade relied upon the demand and supply of other commodities. He tried to locate slaves within the wider Libyan economy. Marwan compared the worth of slaves in terms of their value (quantity) with other commodities such as ivory and feathers. Part of this thesis will build on Marwan's approach by using more evidence to assess traders' commercial thinking. Were slaves a unique fixation of these merchants, or were they understood as one good among many? The thesis also considers whether the slave trade did end at a specific time, or whether it persisted for a long time after its abolition. It also analyses the impact of abolition on Ghadames dealers and the caravan trade.

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<sup>19</sup> Wright, *The Trans-Saharan Slave Trade*.

<sup>20</sup> Ahmida, *The Making of Modern Libya*, p. 33.

The fourth section of literature review discusses the end of slavery in Africa, focussing on slave labour and the process of abolition. These studies reveal previously unseen elements of the enslavement process, including the impact on the social and family life of slaves. These issues became more visible after the end of slavery. My study explores similar issues that were discussed in the end of slave history in Africa, such as the relationship between manumission and abolition, the struggle for slaves in society, and the extent to which the relationship between former masters and former slaves changed after the end of slavery. By focusing on events from a long-term perspective, it investigates the history of slavery in Libya and its formal abolition in the period between 1800 and 1950. Yet, this thesis also explores the enduring nature of slavery, as an activity that persisted into the early twentieth century.

### **Mediterranean Slavery and its Sources**

Since ancient times, slavery has been a key social institution in the Mediterranean and North Africa. However, the need to study the status of slaves in the Muslim society has been recognised during the last four decades. A major part of this debate revolves around the need to investigate the benevolence of slaves in Muslim society. This topic highlights legal practices, the social life of slaves, and the relationship between slaves and their ex-master.

Recent scholarship on the Mediterranean and on the areas formerly ruled by the Ottoman Empire has promoted a view of Islamic slavery as relatively benign. For instance, in the introduction to his 1987 book *The Ottoman Slave Trade and its Suppression 1840-1890*, Ehud Toledano maintained that there was a consensus amongst scholars that under the Ottomans, slavery was less violent and slaves better treated than in the west. According to this account, domestic slaves were considered members of the household, and they enjoyed a relatively high degree of intimacy with their masters. However, Toledano admits that before being welcomed into their master's household in cities of the Ottoman Empire, even these domestic slaves had



to face the harsh journey from their native areas, a journey whose hardships were survived only by the strongest individuals.<sup>21</sup>

A similarly positive view of Ottoman slavery can be found in the works of other scholars: for example, John Wright, William Clarence-Smith, Allan Fisher, and Bernard Lewis.<sup>22</sup> These scholars mostly debated the allegedly benign nature of slavery in Islamic society. For instance, Bernard Lewis's *Race and Slavery in the Middle East* attempts to portray slavery as a constant presence since the beginning of Islam until European colonialism; yet he reminds his readers that Islam preaches generosity towards slaves.<sup>23</sup>

This situation of scholarly consensus begun to change when the picture became more complex: in his work of 1982, John Hunwick drew attention to previously ignored aspects of the life of black Africans in southern Mediterranean countries. For example, Hunwick discussed the employment of black slaves, their relationships with their masters and – in particular concerning the specific case of freed black slaves – their cultural integration into society and legal status. Moreover, Hunwick's work revealed the large extent to which Islamic law influenced the social life of black slaves or former slaves in the Mediterranean countries under Ottoman rule.

Hunwick promoted a new approach to the research on the life of black slaves in southern Mediterranean countries: in particular, he advocated the use of archival sources, such as judicial records, consul reports and travel accounts. It is following Hunwick's suggestion that this thesis uses these sources to explore the social life of slaves in Libya during the nineteenth and early twentieth centuries.<sup>24</sup> Moreover, in 2002 Hunwick and Eve Troutt Powell published a collection of primary sources on the enslavement of black Africans in Mediterranean Islamic countries, including texts from Maliki Islamic laws on issues including slave crimes, manumission, and

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<sup>21</sup> Ehud R. Toledano, *The Ottoman Slave Trade and its Suppression* (Princeton: Princeton University Press, 1982), p. 4.

<sup>22</sup> Wright, *The Trans-Saharan Slave Trade*; William Clarence-Smith, *Islam and the Abolition of Slavery* (London: Hurst, 2006); Allan G. B. Fisher and Humphrey J. Fisher, *Slavery and Muslim Society in Africa: the Institution in Saharan and Sudanic Africa, and the Trans-Saharan Trade* (London: C. Hurst, 1970); Bernard Lewis, *Race and Slavery in the Middle East* (New York, Oxford: Oxford University Press, 1990).

<sup>23</sup> Lewis, *Race and Slavery in the Middle East*, pp. 3-15.

<sup>24</sup> John Hunwick, 'Black Slavery in the Mediterranean World: Introduction to Neglected Aspect of the African Diaspora', *Slavery and Abolition*, 13 (1992), pp. 5-38.

slaves with the authority to trade.<sup>25</sup> His work also includes travel accounts such as Nachtigal, Tournes, Millingen and Hull. These texts are valuable because they provide data on the lives of slaves in the Islamic Mediterranean in the period before and after the slave trade was formally abolished. From the specific point of view of my research, Hunwick and Troutt Powell's collection is important as it covers the cases of two Libyan urban centres like Ghadames and Tripoli. The collection is also interesting because it includes texts that deal with slaves' experiences dating to the period after the prohibition of the slave trade.<sup>26</sup> Amongst the topics discussed in Hunwick and Powell's book are the motivations that lay behind the liberation of slaves: in this specific case, court records are an integral source, elucidating the influence of Islam in this particular field. Hunwick maintains that only the study of thousands of documents would provide a solid basis for any reliable conclusion on the frequency of religiously motivated manumissions.<sup>27</sup>

As to the lives of slaves in North Africa and the Mediterranean countries, generic descriptions can be found in the works of previous scholars. A shift in the geographical focus can be traced to Terence Walz, in his chapter "Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century".<sup>28</sup> Walz studies the accounts of four ex-slaves, originally from Bilad al-Sudan, who, after being enslaved and brought to Egypt, attempted to regain their freedom through different strategies and in different circumstances. Walz analyses how enslaved black Africans coped with the radical changes their lives went through, and how they managed to readjust their existences in ways that were unthinkable (and not thought of) in their native lands before the enslavement took place.<sup>29</sup>

The geographical focus of Walz's article is the city of Cairo and its inhabitants.<sup>30</sup> Relying upon the data provided by the unpublished 1848 census, he reports that fifteen thousand people living at that time in Cairo were originally from trans-Saharan Africa: Walz lists the names of this section of the population of the

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<sup>25</sup> John Hunwick, and Eve Troutt Powell, *The African Diaspora in the Mediterranean Muslim World* (Princeton: NJ, Markus Wiener Publishers, 2002).

<sup>26</sup> Hunwick and Powell, pp. 169-170.

<sup>27</sup> Ibid, pp. xvi, 27-32, 165.

<sup>28</sup> Walz, 'Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century'.

<sup>29</sup> Ibid, p. 79.

<sup>30</sup> Terence Walz, 'Sudanese, Habasha, Takarna, and Barabira: Trans-Saharan Africans in Cairo as Shown in the 1848 Census', in *Race and Slavery in the Middle East*, ed. by Terence Walz and Kenneth M. Cuno (Cairo: New York, American University in Cairo Press, 2010), pp. 43-76.

Egyptian city, and sketches a profile of the typical representatives of this trans-Saharan community, both slaves and freed people, providing data concerning their age, marital status and occupation. According to the author, trans-Saharan African women worked in and were members of Egyptian households, and also could occasionally be involved in extra-household economic activities, such as craftsmanship and trade.<sup>31</sup> This view is supported by references to court records, Ghadames documents and the memoirs of Hassan al-Faqih Hassan: all these sources show that it was not impossible for freed slaves to be able to improve their social status, and that a small but substantial number of them were capable of climbing the social hierarchy to positions of relative power and wealth.

A similar view was discussed in the 'Imad Hilal book, *al-Raiiq fi Misr fi al-Qarn al-Tasi* 'Ashar, published in 1999. Based on employee records, records from the office of the Khedive and the Office of the Council of the courts, Hilal studied the economic, cultural, social and political lives of slaves (black, white and Ethiopians) in Egypt in the nineteenth century. The study focused on the process of slavery starting from their journey to live in Egypt from their respective sources until their emancipation and death. Furthermore, he discusses the customary and legitimate relationships between freed slaves and their former masters.

As stated in his introduction, despite the fact that in many ways the lives of slaves in the nineteenth century were similar to previous eras, the slaves had obtained two benefits by the nineteenth century. Firstly, the slaves who were military elites (Mamalik) that operated for their own account became a military and aristocratic elite working for Egypt's rulers of the family of Muhammad 'Ali. They pledged their loyalty to their former masters (Egypt's rulers). Secondly, the nineteenth century saw the end of slavery in Egypt and the disappearance of all the phenomena that were linked with slavery such as concubines, the harem system and eunuchs.<sup>32</sup>

On the other hand, different approaches occurred in Morocco. Indeed, Moroccan scholars have challenged this view of Islamic slavery as relatively benign and have stated that these arguments require further research. In 1994, the Moroccan

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<sup>31</sup> Walz, 'Sudanese, Habasha, Takarna', p. 44.

<sup>32</sup> Hilal, *al-Raiiq fi Misr*, pp. 1-3.

scholar Mohammed Ennaji published *Serving the Master*, an analysis of the social roles played by slaves in nineteenth-century Morocco.<sup>33</sup> In this contribution, Ennaji criticised studies by scholars such as Frederic Weisgerber, which were based on an idealised view of Islamic slavery as benign.<sup>34</sup> Moreover, Ennaji used qualitative evidence such as court records and tax returns to illustrate the high number of black African slaves in the service of wealthy Moroccan urban households during the nineteenth century. Ennaji also used Arabic documents and European sources from the nineteenth century, such as court records that mentioned the use of slaves – including concubines and domestic servants – as property. These judicial records provide an insight into the masters’ treatment of their slaves. Cases of manumission can be a particularly revealing of the inner relationships of slavery: through testament, a slave owner could manumit one or many of the household’s slaves, but the heirs could be in disagreement with this decision that diminished the value of their inheritance.

In this case, the slaves who were given freedom by their former masters often had to face staunch resistance to their right to gain their liberty, and in doing so they could appeal to the courts. Another situation that emerged from judicial records is that of the child fathered by the late master with one of his female slaves: this child’s rights were not easily acknowledged under Islamic law, and the late master’s heirs were entitled to refuse the recognition of the relation of paternity, therefore denying any share of the inheritance. On the basis of the evidence provided by court records, Ennaji argues that the relationship between ex-slaves and masters (*al-wala’*) was founded on the former’s loyalty towards the latter, but this did not prevent the former slaves from becoming only second-class citizens, whose integration within wider society was very difficult.<sup>35</sup> Therefore, the scholar claims that the condition of slaves and former slaves alike was one of oppression. Ennaji’s study of Moroccan society provides a model that can be replicated in the Libyan case: in fact, court records similar to those that form the basis of Ennaji’s work exist in Libya as well. These sources have not yet been used with this purpose in mind, and may therefore provide

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<sup>33</sup> Ennaji, *Serving the Master*.

<sup>34</sup> Ibid, p. 54.

<sup>35</sup> *Al-wala’* can be translated into English in number of ways such as ‘loyalty’ or ‘clientship’. The basic reference concerns a (former) slave’s behaviour, which should be modest and appropriate toward his or her former master. Ennaji, *Serving the Master*, pp. 54-55.

previously unknown data concerning the life of both slaves and ex-slaves. These sources will be analysed in the second third and fourth chapters of my thesis.

Similar ideas were presented in Lydon's article, "Islamic Legal Culture and Slave-Ownership Contests in Nineteenth-Century Sahara".<sup>36</sup> The article is based on three nineteenth-century documents extracted from private family archives, with information about transactions and the treatment of slaves in the oasis town of Tshit (present day Mauritania).<sup>37</sup> She focused upon primary factors that determined Saharan slavery by analysing the nineteenth-century legal debates over the ownership of enslaved Africans. She stated that legal decisions, in many cases, were neither based on Islamic or customary law but that such decisions were based on independent reasoning or personal assessment and not necessarily phrased in legal jargon.<sup>38</sup> Lydon concluded that it was difficult to describe slavery in Africa within the Muslim world as kin-based, or slaves meshed seamlessly with the family of their masters.<sup>39</sup>

In 2013 Chouki El Hamel's book *Black Morocco: A History of Slavery, Race, and Islam*, El Hamel analyses the experiences, identities, and achievements of black slaves who lived in Morocco in the period from the sixteenth to the beginning of the twentieth century, paying special attention to the black soldiers who fought in the Moroccan army.<sup>40</sup> In his analysis of slavery in the Muslim world, El Hamel reaches the conclusion that scholars' perspectives are flawed as they consider Islamic ideology to be the most important factor in play. According to El Hamel, this ideological bias has particularly affected the representation of black slavery in Islamic societies. The author naturally acknowledges the significant role of Islam and Islamic law in the social dynamic, but he is also aware of other influential factors, such as social status, ethnicity and the pre-existent culture on which Islam itself had taken root. El Hamel's study therefore widens the approach to the problem of black slavery, questioning the extent to which religious principles and norms actually moulded society and its functioning. A consequence of this shift in the

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<sup>36</sup> Ghislaine Lydon, 'Islamic Legal Culture and Slave-Ownership Contests in Nineteenth-Century Sahara', *International Journal of African Historical Studies*, 40 (2007), pp. 391-439.

<sup>37</sup> Lydon, 'Islamic Legal', p. 396.

<sup>38</sup> Ibid, p. 395.

<sup>39</sup> Ibid, p.423.

<sup>40</sup> Chouki El Hamel, *Black Morocco: A History of Slavery, Race, and Islam* (New York: Cambridge University Press, 2013).

scholar's point of view is a more careful consideration of the influence of non-religious factors on the ideology and religious discourse on slavery in Morocco. El Hamel also discusses the origin of slavery in that part of North Africa, and the legal discourse, racial stereotypes and representations that were in use in Moroccan society before Mawlay Isma'il. Moreover, El Hamel identifies another shortcoming of the traditional scholarship on Moroccan slavery. He demonstrates that the common understanding of the ideology and practice of slavery in Morocco overlooked crucial evidence, and that it was based on a poor knowledge of Islamic treatises on the practice of slavery and the condition of slaves. In opposition to this traditional view, El Hamel insists that the sources suggest that, since the late seventeenth century, Moroccan society had exploited black slaves on the basis of an ideology of the racial division of society. Therefore, in El Hamel's work, religious principles are at the same time replaced and supported by a racist ideology whose purpose was to maintain the division between Arabs and Berbers on the one side and black slaves and former slaves on the other side.<sup>41</sup>

Collectively, these authors have demonstrated that slavery had diverse meanings rooted in local histories, all of which determined the consequences of slavery and slave status. In their discussions enslavement, master-slave relationships and manumission scholars agree that slaveholding practices were governed by Islamic law. Moreover, most argue that slavery in the Islamic world was less violent and slaves were better treated in comparison with the West.<sup>42</sup> Domestic slaves were considered to be members of the household, and a relatively high degree of intimacy existed between slaves and their masters. Some, however, notably Ennaji, Lydon, and El Hamel, who looked at legal records and examined the practical applications of Islamic law, have challenged this view, arguing that the social lives of slaves, and the relationship between slaves and masters showed the coercive nature of slavery in the Middle East and North Africa.<sup>43</sup>

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<sup>41</sup> El Hamel, *Black Morocco*, pp. xiii, 9-10

<sup>42</sup> Toledano, *The Ottoman Slave Trade and its Suppression*; Lewis, *Race and Slavery in the Middle East*; Wright, *The Trans-Saharan Slave Trade*; Hunwick, 'Black Slavery in the Mediterranean World'; Hunwick and Powell, *The African Diaspora in the Mediterranean Muslim World*; Walz, 'Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century', pp.79-110; Walz, 'Sudanese, Habasha, Takarna, and Barabira: Trans-Saharan Africans in Cairo as Shown in the 1848 Census', pp. 43-76.

<sup>43</sup> Ennaji, *Serving the Master*; Lydon, 'Islamic Legal'; El Hamel, *Black Morocco*.

Hunwick and Ennaji, writing about emancipation, agreed that there were long-standing mechanisms of emancipation in North Africa and the Mediterranean. Various patterns of manumission have existed in North Africa since ancient times, and long before the abolition of slavery. Moreover, discussing the social lives of freed people after emancipation, Walz, Ennaji, and Hilal emphasised their continuing dependency on their former masters. Even so, there have been few social histories have explored manumission and complicated meanings of freedom in this region in a manner analogous to the large literature existing on slavery in sub-Saharan Africa and America.

As I shall argue in chapter one, many aspects of Libyan abolition –the early dates of slave trade abolition, the trade’s long persistence after formal abolition— greatly resemble those elsewhere in north Africa such as in Egypt and Morocco, which makes the Libyan case of immediate comparative interest within the region.<sup>44</sup> This is particularly the case, because to date the scholarly literature does not provide comprehensive data about the long term history of slave statuses in North Africa and the Mediterranean; certainly, it is underdeveloped in comparison to the study of slavery in Africa and America. Little attention has been paid to the social lives of slaves, or the history of emancipation and its aftermath in Libya. This thesis is thus a contribution to what should be an emerging account of slavery and emancipation in the Mediterranean.

### **Histories of the Slave Trade in Libya**

In the history of Libya, slavery in the Ottoman period has been the subject of a significant number of studies.<sup>45</sup> However, many Libyan scholars writing about this period, such as Ettore Rossi, have followed the Western approach, and have translated their works written outside of Libya into Arabic without criticism or analysis.<sup>46</sup> In addition, scholars have focused primarily on the capital, Tripoli, and the politics of the ruling elite, giving little attention to broader social, economic and cultural influences. According to Ali Abdullatif Ahmida:

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<sup>44</sup> See: Chapter One, section: Responses to the Abolition of Slavery, pp.87-90.

<sup>45</sup> Libya was named Tarablus al-Gharb during my period of study, but its present day name is used (Libya).

<sup>46</sup> Rossi, *Libya Mundhu al-Fath al-'Arabi*.

The study of modern North Africa has been dominated by scholars concerned with the French and Italian colonial studies and British social anthropology, and to a lesser degree, by the modernization school, especially in the United States, French and Italian colonial studies focused on the needs of colonial states to administer the natives. Their image of pre-colonial society is of a traditional society, inhabited by unruly tribesmen on the one hand, and governed in the towns by corrupt patrimonial states on the others.<sup>47</sup>

These scholars derive their information from external sources, such as the writings of foreign visitors to Libya and foreign consuls. They often overlook local sources, which consist of registers of the *mahkama shari'ya* (Islamic court), the civil courts of the Ottoman period, and house numerous documents on justice and trade and which are held in the Libyan National Archive in Tripoli and Ghadames. Together, these sources can give us a clearer picture of the societal conditions in economic and social hubs such as Ghat, Murzuq, Ghadames and other desert areas away from Tripoli. The caravan trade of slaves was a significant occurrence in those cities. Yet, the above studies have been too broad in scope and have neglected some crucial aspects of the slave trade, such as the size of slave trade in comparison with other commodities and whether or not the abolition of the slave trade impacted on the caravan trade.

Much scholarship has been based on somewhat literal readings of European travel narratives. Summaries of these narratives can provide a gripping account of the Libyan past, but do not explain why and how it occurred. Too often this has resulted in accepting the claims of travellers as objective reality without subjecting it to critical analysis, and linked that data with other written records and oral-historical sources available in Libya. This thesis therefore uses travellers' accounts used by previous researchers, but it critically analyses other sources of information such oral interviews, court records, commercial correspondence, and the memoirs of Hassan al-Faqih Hassan available for that period. Therefore, the methodology adopted within provides a more rigorous analysis of its source materials, challenging the approach, assumptions, and conclusions of previous researchers. It therefore provides a new perspective to the social and economic relationships of slaves in the region of Libya.

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<sup>47</sup> Ahmida, *The Making of Modern Libya*, p. 3.



In his book, *Dirasat fi al-Tarikh al-Libi*, Mustafa ‘Abdullah Ba‘iyu (1953) demonstrated the economic importance of the caravan trade in the country’s economy during the Qaramanliya era (1711-1835).<sup>48</sup> Ba‘iyu discussed how Qaramanli rulers used the caravan trade as an economic resource because they accrued huge amounts of money from the trafficking of slaves. Ba‘iyu’s study also discussed the factors that contributed to the elimination of the caravan trade, such as the European penetration of the internal Sahara and the control of the country’s economy through sea trade.<sup>49</sup> This shift occurred after European success in establishing commercial stations in the coastal regions of countries such as Nigeria and Ghana, which linked the internal market of the Sahara with the European ships.<sup>50</sup> Moreover, Ba‘iyu explores some of the difficulties the owners of caravans faced and the methods that were used to ensure the success of this trade. For example, tribal wars and disagreements determined who controlled trade.<sup>51</sup> As a result, traders attempted to look for other markets and routes. The discovery of the Wadi route was a consequence of the problem. This route, discovered by al-Majabra merchants from the Jalu, oasis linked the province of Benghazi and the eastern region of Sudan, and was an example of changing trade patterns to ensure the continuation of resource trade.<sup>52</sup>

Ba‘iyu noted the differences involved in the caravan trade – the routes they took, the individual importance of those routes, and the effect of caravan trade in the life of the country. He categorised the routes into long and short routes. The long routes linked distant destinations, such as the road between Tripoli and Lake Chad. For instance, the caravan journey from Lake Chad to Tripoli took approximately three months. The short routes linked the commercial centres and oases such as Ghat, Murzuq and Ghadames. The journey between oases took only a few days. However, Ba‘iyu derived his information from the published memoirs of European travellers such as John Francis Lyon’s memoirs of his travels in North Africa between 1818 and 1820, without criticism or analysis. These sources must be questioned, as the

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<sup>48</sup> Mustafa ‘Abdullah Ba‘iyu, *Dirasat fi al-Tarikh al-Libi* (Alexandria, 1953).

<sup>49</sup> Ibid, pp. 186-189.

<sup>50</sup> Ibid, p. 189.

<sup>51</sup> Ibid, pp. 193-195.

<sup>52</sup> Ibid, p. 202. For more details about Wadi route, see: Dennis D.Cordell, ‘Eastern Libya, Wadi and the Sanusiya: A Tariqa and a Trade Route’, *Journal of African History*, 181(1977), pp. 21-36.

author takes for granted Western travellers' accounts without locating them in their historical and political contexts.<sup>53</sup> In the words of Lydon:

Although the account of Portuguese, Dutch, British, French, and other travellers continued useful insights about peoples, routes, and realms these were peripheral impressions of Africa, and African, they were "Eurocentric" narrative built on information obtained by language and cultural barriers. Merchant, naval, consular, and later colonial records posed a similar set of problems. Indeed, writing history with external and, for the most part, imperial sources represent the peoples who had lived through oppressive colonial regimes and their pre-colonial ancestors, it was imperative for historians to reveal African agency through local historical sources.<sup>54</sup>

Ahmad Sa'id al-Fituri (1972), in his book *Libya wa Tijara al-Qawafil*, demonstrates the movement of commercial convoys in Libya during the Qaramanliyy (1711-1835) and the second Ottoman era (1835-1911). He describes the commercial market in Tripoli and Benghazi as the two centres for the African trade in Libya. The commodities traded from these caravans in the second half of the nineteenth century consisted of slaves, elephant's teeth, senna, and ostrich feathers. In addition, he shows the difficulties caravan trains faced during their journeys. Commercial caravans were repeatedly damaged by strong winds, and all traces of existing roads often disappeared. They were sometimes lost in the desert, which often resulted in lack of water supplies and other commodities. They were susceptible to attacks from bandits and the Bedouin. Indeed, to satisfy these tribes, the Ottoman rulers paid the money to ensure security on the routes.<sup>55</sup> Al-Fituri also explains the political reasons which caused the deterioration of the commercial caravan trade, such as the occupation of Tunisia by France in 1881, the closure of the Bronu and Darfur routes, and the colonization of West Africa by Europe.<sup>56</sup> He has also been influential in the shaping of the general historical narrative on the slave trade in Libya. Al-Fituri derived his information from Mustafa 'Abduallah Ba'iyu's reports on Arabic and foreign travellers, such as al-Hash'ishi and Cooper, as well as the writings of Orientalists, such as Anthony kakiya. In his appendices, al-Fituri

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<sup>53</sup> Ba'iyu, *Dirasat fi al-Tarikh al-Libi*, pp. 189, 198, 202.

<sup>54</sup> Ghislaine Lydon, *On Trans-Saharan Trails: Islamic Law, Trade Networks, and Cross-Cultural Exchange in Nineteenth-Century Western Africa* (Cambridge: Cambridge University Press 2009), p. 14.

<sup>55</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, pp. 10-19.

<sup>56</sup> Ibid, pp. 21-22.

published important documents from the Libyan Archive on the caravan trade, from which the researcher used in this thesis to estimate the proportion of slave exporters from the regions of Tripoli and Benghazi. These documents suggested that trading in slaves was not as extensive as reported in council reports.

In his book *The Making of Modern Libya* (2009), Ali Abdullatif Ahmida analyses the history of Libya from the early nineteenth century to the early twentieth century, focussing his attention on the role of tribal and peasant groups. In fact, he identifies these two groups as the main actors in the social transformations in the areas of Tripoli, Fezzan and Cyrenaica. The period between the early nineteenth century and the early twentieth century witnessed deep changes in the social and political situation of Libya, in part due to the extension of control over the countryside by the central administration, at first that of the Ottoman, and later that of the colonial powers. According to Ahmida, the local response to this phenomenon was strongly influenced by the characteristics of the social structure of the agrarian regions. Resistance to colonial influence in the fields of economy and society was both defined and delimited by the nature and conventions of the Libyan agrarian society.<sup>57</sup>

One of Ahmida's most important contributions to scholarship in this field is the detailed study of Libya's social classes including the peasant class in cities like Fezzan, Murzuq, Ghat, Ghadames and Sukana.<sup>58</sup> Using evidence from archival research, oral interviews and comparative studies, Ahmida adopts a critical approach to Orientalist descriptions of Libyan society, offering instead an interpretation that is framed by postcolonial debates and new Ottoman historians.<sup>59</sup> In the period covered by Ahmida's research, agriculture was gaining an increasingly important position within the Libyan economy, as a result of the decline of the caravan trade during the nineteenth century.<sup>60</sup> Ahmida's research draws on data regarding social classes and sharecropping in the area of Fezzan that, at the turn of the twentieth century, was witnessing the emergence of a new social structure. The scholar argues that by the end of the period, the Fezzan population was formed by three main groups: landowners, small peasantry, and sharecroppers. The aristocratic tribal clans (a class

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<sup>57</sup> Ahmida, *The Making of Modern Libya*, p. 5.

<sup>58</sup> Ibid, p. 69.

<sup>59</sup> Ibid, p. xvii.

<sup>60</sup> Ibid, p. 69.

beneath the landowning class) who owned most of the small farms employed freed slaves under sharecropping contracts or used slaves and depended on their manpower for the growing and cultivation of the farms. This system of land management was also followed in other areas of Libya, namely the oases of Murzuq, Ghat, Ghadames, and Sukana. In Ghadames, the population was to be divided into two groups: on the one hand, the notables, merchants who owned the land – the Ghadamsiya class; and on the other hand the peasant class, mainly consisting of freed slaves or their descendants who worked the land under the control of the Ghadamsiya. A similar social situation was present in the oasis of Sukana.

Ahmida's work also provides data about the sharecropping system that was the most common way to exploit manpower and the wage rate of labour in Fezzan.<sup>61</sup> Land, tools and seeds were made available by landowners who employed sharecroppers to farm their lands. The latter, who were ex-slaves called *shwashna* or individuals with low immigration status from tribal backgrounds, were secured for farming by a percentage of the farmland produced. They were also given clothing and food by the landowners. According to one source, these tenant-peasants worked between 10-12 hours per day. Although there are no extensive statistics about the numbers of sharecroppers, another source quotes that there were approximately 20,470 *shwshan* in Fezzan in 1917. Such sharecropping practices were common amongst the Tuareg for managing the agricultural workforce. Thus there were slaves and landowners present in agricultural settlements but the majority of peasants settled and worked on their land while others lived under sharecropping contracts.<sup>62</sup>

One of the subjects discussed in Ahmida's book was the profits gained by the governors, the mandate of Tripoli, and the inside tribes from the caravan trade. He argued that the caravan trade in Tripoli, in contrast to reports of the consuls, was not confined to gold and slaves, but included other commodities which were exported from Sudan. Traded commodities included ostrich feathers, wax and leather. In addition, Ahmida argued that foreign sources tended to exaggerate the size of the slave trade in Ottoman North Africa, arguing that Britain used the existence of the

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<sup>61</sup> His data is from the colonial Italian anthropological study of Libya by Enrico De Agostini.

<sup>62</sup> Ahmida, *The Making of Modern Libya*, pp. 69-70.

slave trade to justify its colonial expansion in the Sahara in the nineteenth century.<sup>63</sup> Ahmida encouraged scholars to use authoritative documents from local business and the writings of Libyan historians. He argues that these sources provide more reliable information than consular reports because foreign visitors often wrote without any detailed knowledge about local trading conditions.<sup>64</sup> This study is also supported by other Libyan academics such as Mahmoud Abusuwa, Salah al-Din al-Sawiri, and ‘Aqil al-Barbar who have drawn information from primary sources such as court records, commercial correspondence, and have encouraged students to undertake research and writing on aspects of the local history of Libya by using sources from both Libyan and European archives. For example, the registers of the *mahkama shari‘iya* (Islamic court), as well as the civil courts of the Ottoman period, are the most valuable source for the social history of Tripoli in the eighteenth and nineteenth century since they provide a detailed account of social position, property and social relationships within local communities.

Another key text is an MA thesis by Najmi Rajab Diyaf, *Madina Ghat wa Tijara al-Qawafil al-Qawafil al-Sahrawiya Khilal al-Qarn al-Tasi‘ ‘Ashar*, (1999). In this thesis, Diyaf wrote a chapter addressing the most important routes of the trade, explaining how the caravan trade was organized, and what services were used to protect it.<sup>65</sup> In addition, Diyaf emphasized how the commercial traffic was important for the city of Ghat and the regions which had economic dealings with it. Moreover, he collected data on the volume of Saharan bilateral trade through the city of Ghat, and the principal commodities that were traded along the caravan route. He also discussed the prices, standards and profits for the trade commodities. Diyaf’s study was based on the many published travel narratives of European and Arab travellers who crossed the Sahara or resided in Ghat in the nineteenth century. Among these travellers were al-Muhammad al-Hasha’ishi and ‘Abd al-Qadir Jami, Adulif Karwaza, James Richardson, Arfin Bari, Kruta, Talainy, Zumbir and others. His

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<sup>63</sup> For an overview of the critical discussion on studying the trans-Saharan slave trade, see: E Ann McDougall, ‘Discourse and Distortion: Critical Reflections on Studying the Saharan Slave Trade’, *Revue Française d’Histoire d’Outre -Mer*, 4 (2002), pp. 55-87.

<sup>64</sup> Ahmida, *The Making of Modern Libya*, pp. 32-33.

<sup>65</sup> Najmi Rajab Diyaf, *Madina Ghat wa Tijara al-Qawafil al-Sahrawiya Khilal al-Qarn al-Tasi‘ ‘Ashar* (Tripoli: Markaz Dirasat Jihad al-Libiyin, 1999), for a critical discussion of organizing trans-Saharan caravans see: Ghislaine Lydon, ‘Contracting Caravans: Partnership and Profit in Nineteenth- and Early Twentieth-Century Trans-Saharan Trade’, *Journal of Global History*, 3 (2008), pp. 89-113

research also utilised oral testimonies that were transmitted from father to son to seek personal accounts of caravan traders in Ghat. However, his knowledge of the slave trade in the city was limited.

In 1991, Bashir Qasim Yusha‘ gave a lecture at al-Markaz al-Libi lil-Mahfuzat wa al-Dirasat al-Tarikhiya, entitled ‘al-Raqiq fi Ghadames’.<sup>66</sup> He began his talk by exploring the idea of slavery in Islamic jurisprudence, and comparing it with other religions in places such as India, Persia, and Ancient Rome. He provided data about the slave trading, the employment of slaves, and how slaves were treated in Ghadames. He argued that the Arabic scholar Muhammad Mustafa al-Sharkashi, alongside Western scholars such as Francesco Coro and Edmund, exaggerated the slave trade in Ghadames in the nineteenth century by stating that the abolition of slave trade stopped the economic prosperity of the town. By using hundreds of Ghadames documents, Yusha‘ pointed out that the slave trade in the town during the nineteenth century was not a desirable trade compared to other commodities. In support of this argument, he used three well-known merchants of Ghadames Ahmad al-Thani, al-Bashir ibn Ahmad al-Thani, and al-Hajj ‘Abdullah ibn Muhammad al-Salah Harwin to provide data about both emancipation of slaves and the treatment of male slaves (caravan workers). He concluded that masters in Ghadames emancipated their slaves largely due to religious motives, and treated them relatively benignly due to their responsibilities as caravan workers.

The most important study on slave trading in Libya was written by Muhammad ‘Umar Marwan, in 2009. His PhD thesis elaborated on economic, social and cultural life in Ghadames during the Ottoman period. His research used thousands of documents concerning traders in Ghadames and the records of the commercial courts in Tripoli and Ghadames. He analysed these documents in order to highlight fresh evidence regarding the composition of commercial companies, the types of foods that were exported and supplied to the north and south, and different products and prices. We can take advantage of this information in monitoring the slave trade in Ghadames: for instance, the locations where traders purchased slaves and how they were treated within the state. He also described the types of slaves and

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<sup>66</sup> Bashir Qasim Yusha‘, ‘al-Raqiq fi Ghadames’, (Unpublished lecture at al-Markaz al-Libi lil-Mahfuzat wa al-Dirasat al-Tarikhiya, 8-June-1991).

their prices, the taxes imposed by slave traders, and the reactions of traders against the prohibition of the slave trade. In his appendices, Marwan published important documents from the Libyan Archive on the caravan trade, which will be used in this thesis to evaluate the slave trade, in terms of the numbers involved and when it ended. These documents also provide data about the social life of slaves in Ghadames, such as the usage of slaves as caravan workers, the treatment of slaves and the emancipation of slaves.

### **John Wright and the Debate on the Libyan Slave Trade**

The Libyan slave trade received considerable attention from early scholars such as Bovill, Boahen and Toledano, but the most comprehensive western study on slavery was John Wright's 1998 thesis 'Nothing Else but Slaves'.<sup>67</sup> The subject of this thesis is the trade in black slaves across the central Sahara to Tripoli and North Africa outlets, as recorded by British consular officials, from 1814-1864. He also studied the size of the caravan trade and the abolition of slave trade. Wright's subsequent book, *The Trans-Saharan Slave Trade* (2007), covers the entire Sahara, Sudan, Maghreb, and the west of the Nile Valley, including the paths taken by the Mediterranean slave ships from North Africa to Levant and the Ottoman Aegean and Balkans. Great attention was paid to the years around 1850 because the central Saharan and Mediterranean traffic were under more intense statistical scrutiny than ever before. He also wrote about the advent of this trade (its patterns and workings since the pre-Islamic past) and argued that, except for the Wadai route, other trails did not change since they were founded in the early middle ages. Wright discussed the long-distance caravan trade using the accounts given by British witnesses, such the reports from the British vice consul Gagliuffi in Murzuq. Wright also used vice-consular documents from Benghazi, Tripoli, Derna and Misurata, as well as reports from Charles Dickson, the vice-consul of Ghadames from 1848 to 1854. These contained detailed information about the geographical origins of slaves in the Saharan trade, the routes taken and other information such as age, sex, sex ratio, costs, profit, treatment and deaths. Similarly, he included details about ports that

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<sup>67</sup> E.W. Bovill, *Caravan of the Old Sahara* (Oxford: University Press, 1933); E.W Bovill, *The Golden Trade of the Moors* (Oxford: Oxford University Press, 1958); A. Adu Boahen, *Britain, The Sahara and the Western Sudan 1788-1861* (Oxford: Clarendon Press, 1964); Ehud R Toledano, *The Ottoman Slave Trade and its Suppression*; Wright, 'Nothing Else but Slaves'.

supported the slave trade between modern Libya: Tripoli, Benghazi and Misurata, and markets in the Mediterranean.<sup>68</sup> However, the social lives of slaves in Libya remain elusive.

Wright treats the accounts of British foreign consuls and travellers in Libya as accurate, and doesn't critically examine their claims that slaves were the most significant commodity of the trans-Saharan trade through Libya.<sup>69</sup> In the opinion of Ali Ahmida, Wright disregards Libyan testimonies and overlooks the fact that the British witnesses had restricted contact, as well as their own schemes and political ambitions in overstating the quantities of slaves in the Ottoman Empire. In addition, Wright presents a positive narrative for the British commitment to abolition. There is no attempt to substantiate these arguments and narratives, or to explore whether the anti-slavery movement could be utilised for alternative aims opposing other regional North African countries. There is an absence of information on the Arabic dynamics of slavery in Wright's thesis. Ahmida argues that it is common knowledge that indigenous slavery and the circumstances of women were utilised by European colonial ideologues to rationalize the colonizing of India and Egypt. Ahmida proposes that Wright could have gained from recent research by Ahmad Sikainga, Terence Walz, 'Imad Hilal, Paul Lovejoy and Muhammad Marwan concerning slavery in Saharan as well as North Africa, as they utilised a number of sources such as local records, the archives from Islamic courts, and oral accounts to provide a new social background of this awful human trade.<sup>70</sup> In his conclusion, Ahmida stated that, it is now necessary to move:

... beyond conventional sources such as colonial and state archives. These sources reflect the interest of European councils and colonial administrations. Other sources shed fresh light on indigenous social history oral traditions, poetry, folklore, songs, and indigenous archival material.<sup>71</sup>

Madeline Zilfi also expressed a similar view, arguing there is a need to be cautious, especially (and at least) about the Northern provinces. Wright's

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<sup>68</sup> Wright, *The Trans-Saharan Slave Trade*, pp. xiii-xiv

<sup>69</sup> John Wright, *The Emergence of Libya: Selected Historical Essays* (London: Silphium Press, 2008), pp. 121-151; for a critical interpretation, see: Mohamed Hassan Mohamed, 'African and Africans of the Maghrib: Casualties of the Analogy', *Journal of North African Studies*, 15 (2010), pp. 360-361.

<sup>70</sup> Ali Abdullatif Ahmida, 'A Problematic View on Libyan History: The Emergence of Libya: Selected Historical Essays', *Journal of African History*, 51 (2010), p. 421.

<sup>71</sup> Ahmida, *The Making of Modern Libya*, pp. 143-144.



calculations show that the slave trade figures of the Mediterranean had been exaggerated, since for centuries initial estimates were based on averaging the figures obtained for peak years.<sup>72</sup> Mahmoud Abusuwa also criticises the absence of data from Arabic texts in Wright's *The Emergence of Libya*.<sup>73</sup> My research responds to Abusuwa's criticism of Wright, engaging with Arabic texts to provide a new approach towards the social history of slavery in Libya, focussing in particular on the work life of slaves, their families, the dynamics of manumission, and the social lives of freed slaves. All the studies discussed in this section make valuable contributions towards our understanding of the practical organization of the caravan trade. Nevertheless, my approach departs from the historic-economic perspective of the slave trade and engages more closely with the social context of slavery.

### **Historiographies of the End of Slavery in Africa**

Slavery was common in many areas of sub-Saharan Africa, but scholars have increasingly come to appreciate that the term "slavery" or its cognates could designate a variety of statuses. The history of slavery in Africa therefore is both a history of slave statuses and a history of how European and the Atlantic slave trade came to designate but also to transform their African counterparts. At the start of the colonial period, which was when abolition was pursued in many areas of Africa, European and American chattel slavery were still considered direct and unproblematic analogues to African slave systems, even when they were not.

In the 1970s many scholars, such as Suzanne Miers, Igor Kopytoff, and Frederick Cooper, started studying slavery in Africa and transformed the study of slavery from a neglected to a significant field of research.<sup>74</sup> There was a shift towards the study of slave emancipation, which demonstrated that the African movement did begin to have discussions with the literature on the European and American chattel of slavery and abolition. Influenced by the views of Cooper,

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<sup>72</sup> Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire* (College Park: University of Maryland, 2010), p.132.

<sup>73</sup> Mahmoud Abusuwa, *Tarikh Libya al-Muftra 'aliyh*, <http://www.libyawatanona.com/adab/mabusowa/ma211010a.htm> [accessed 21-October-2014].

<sup>74</sup> Suzanne Miers and Igor Kopytoff, *Slavery in Africa: Historical and Anthropological Perspectives* (Madison Wisconsin: University of Wisconsin Press, 1977); Frederick Cooper, *Plantation Slavery on the East Coast of Africa* (New Haven [Conn.]: Yale University Press, 1977).

scholars began researching slavery from this global, comparative perspective. Cooper's 1980 study entitled *From Slaves to Squatters* offered a further refinement through its examination of the end of slavery and its consequences. Cooper posed the question of whether and how the labour regimes that succeeded slavery differed from slave labour itself, which brought more into focus the continuing effects of slavery on the economy and society of the east coast of Africa.<sup>75</sup>

Cooper's focus is on changes in the way goods were made during a period when the external factors for their export stayed favourable.<sup>76</sup> In *From Slaves to Squatters*, he details the eradication of slavery, and the institution of the colonial government in Kenya and Zanzibar from 1890-1925. Cooper explores colonial Africa through the infiltration of capitalism, with the colonial rulers looking at turning community property into freehold plantations that yielded crops for exportation, and the conversion of African farmers into a labour force without property ownership. The research study also discusses how various groups, including immigrants, freed slaves, and the Arabic landowners and indigo farmers, reacted to these differences. He outlines the failure of the British authorities' plans to convert slaves to wage workers, employed by their former masters. He describes emancipation as a period of hardship for slaves, their owners and the colonising government. While the British authorities aspired to create a capable and dynamic set of agrarian employees, the Swahili as well as Arab landowners and slave owners attempted to re-establish their previous methods of control over their labour force. Former slaves rebuffed the attempts of the British to change them into proletarians. Many of the slaves ended up as squatters on the estates of their former masters, or working for them under new arrangements.<sup>77</sup>

From 1980 onwards, scholars became increasingly focused on the end of African slavery. Miers and Robert examined the process of slave abolition; such as whether it was an abrupt or a gradual process, and whether it represented a significant change in the social and economic organization of the given society.<sup>78</sup> Miers and Robert stated in their introduction that, although slaves fought for their

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<sup>75</sup> Cooper, *From Slaves to Squatters*.

<sup>76</sup> Ibid, p. ix.

<sup>77</sup> Thomas Spear, 'From Slaves to Squatters: Plantation Labor and Agriculture in Zanzibar and Coastal Kenya, 1890-1925 by Frederick Cooper', *American Historical Review*, 87(1982), p. 515.

<sup>78</sup> Miers and Roberts (eds), *The End of Slavery in Africa*.

freedom and independence, they were limited by the options available. Emancipation was a major turning point for slaves that brought with it many opportunities, but its success was limited by economic, social, political factors as well as personal experiences. Many slaves sought new lives by either reintegrating into their local community or another community. Of those who remained with their masters, many established a new type of relationship and dependency as allowed by the new legal status.<sup>79</sup> Miers and Roberts argue that the effect of the abolition of slavery cannot be generalised because it had different impacts on different social groups. Any contributions to the historiography should thus reflect two perspectives: those traditionalists who considered the transition from slavery to freedom as a smooth process, and revisionists who saw the process as a dramatic phenomenon that disrupted not just the relations of production, but also family structures, kinship relations, and schemes for accumulating wealth.<sup>80</sup>

Allan Christelow provides analysis of the end of slavery in Northern Nigeria, using similar sources as those used in this thesis. His 1994 study *Thus Ruled Emir Abbas*, focused on selected legal cases involving slaves in the country between 1913 and 1914.<sup>81</sup> The data was obtained from the emir of Kano's judicial council, that dealt with cases of slaves' emancipation and redemption, concubinage, and the struggle for freedom – especially for female slaves during the colonial period. Furthermore, the arrival of the cash economy, railroads and the groundnut boom impacted on slaves the most. Thus, similar scholars such as Paul Lovejoy and Jan Hogendorn, Christelow argued that slave emancipation during the early colonial period in Kano was not a straightforward and gradual process. His subsequent research focused on what slaves did after obtaining their freedom.<sup>82</sup>

In 1993, Paul Lovejoy and Jan Hogendorn's *Slow Death for Slavery* was a major study of the gradual decline of slavery or emancipation under British colonialism in northern Nigeria from 1897-1936. Using oral history, Nigerian archives and colonial records, the authors established that official British policy within its portion of the former Sokoto Caliphate in Northern Nigeria (one of the

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<sup>79</sup> Miers and Roberts (eds), *The End of Slavery in Africa*, p. 33.

<sup>80</sup> Ibid, p. 31.

<sup>81</sup> Allan Christelow, *Thus Ruled Emir Abbas: Selected Cases from the Records of the Emir of the Kano's Judicial Council* (East Lansing, 1994).

<sup>82</sup> Christelow, 'Slavery in Kano 1913-1914', pp. 72-73.

largest slave societies in modern history) maintained the institution of slavery from the early days of military conquest until 1937.<sup>83</sup> They argue that, despite the fact that colonial policy claimed not just to be abolitionist but also to have abolished slavery, slave status continued to be legally enforced until 1937. The process of abolition and individual's emancipation from slavery was therefore slow, halting, and contradictory.

Ahmad Sikainga's 1996 book, *Slaves into Workers*, made use of oral interviews in Sudan, including unpublished documents from Britain and Sudan.<sup>84</sup> In it Sikainga examined the liberation of slaves and the destiny of emancipated slaves throughout the Anglo-Egyptian era in the city of Khartoum between 1898 and 1956, and uncovered efforts to change emancipated slaves into workers. In his introduction, Sikainga argues that:

Although the number of studies on slave emancipation in Africa continues to grow, many important themes remain unexplored. Of particular importance is the legacy of slavery and the status of ex-slaves and their descendants in African societies. Moreover, most studies have justifiably focused on rural areas. Little attention has been given to the cities, despite the fact that migration to urban centres appeared to be one of the most attractive alternative for liberated slaves.<sup>85</sup>

In his book, through correlating ideology, emancipation, philosophy and labour, he intends to illustrate historical stability, including how labour systems and philosophies before colonialism greatly influenced the nature of the workforce that emerged under British colonialism. This was due to capitalist growth during British rule in Sudan. The expansion of the workforce is closely related to the end of slavery. Colonial rule focussed on former slaves, thus strengthening the workforce, which eventually led to provincial segregation and racism towards workers.<sup>86</sup>

All these studies are discussed in *Beyond Slavery* (2002) a collection of essays based in a comparative project that started in 1987, when Frederick Cooper, Thomas C. Holt and Rebecca J. Scott initially proposed studying the end of slavery

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<sup>83</sup> Lovejoy and Hogendorn, *Slow Death for Slavery*.

<sup>84</sup> Ahmad Alawad Sikainga, *Slaves into Workers: Emancipation and Labor in Colonial Sudan* (Austin: University of Texas Press, 1996).

<sup>85</sup> Sikainga, *Slaves into Workers*, p. xiv.

<sup>86</sup> Ibid, p. xv.

in societies around the world.<sup>87</sup> The essays in this volume seek to explore the various dimensions of what lies beyond slavery. In the chapter, 'Condition Analogous to Slavery', Cooper discusses forced labour in the history of French and British colonization in Africa.<sup>88</sup> He shows how notions of progress had been used initially as a reason to intervene in Africa, and were later used as a justification for the (alleged) temporary use of forced labour.<sup>89</sup> It undermined the legitimacy of colonization in 1940. Cooper concludes that manumission made people question how to end slavery, and transformed the debate into one about labour and citizenship. All the contributors to *Beyond Slavery* emphasise that emancipation was not a singular event, but a gradual process developing over a long period of time. Additionally, it is acknowledged that the meaning of freedom was not something singular, but something formed during different conflicts and changes. These debates over ideas were quite powerful in the case of Libya. Analysis of Libyan documents supports this argument; slaves were described as former slaves, emphasizing that the end of slavery was a protracted process, and that freed slaves continued to be shaped by their former identity.

It is obvious from the studies discussed that manumission (like slavery itself) had a variety of meanings, all embedded in local histories, and had a variety of consequences. Scholars have tried to trace the end of slavery and the fate of former slaves, and have increasingly understood emancipation as a struggle that involved slave owners, colonial regimes and slaves. They are widely agreed that in many regards colonial policies maintained the institution of slavery even while claiming to combat it. This had the effect of keeping the slaves doing labour in arrangements that distinctly resembled pre-emancipation labour regimes, even without the institution of slavery to enforce it. The emancipation of slaves was a particular challenge to colonial regimes that retained Islamic law in force. Islamic legal principles contained stipulations for self-redemption, as slaves could pay a sum to their masters in exchange for freedom.

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<sup>87</sup> Frederick Cooper, Thomas C. Holt and Rebecca J. Scott, *Beyond Slavery: Explorations of Race, Labor, and Citizenship in Postemancipation Societies* (Chapel Hill: University of North Carolina Press, 2000).

<sup>88</sup> Frederick Cooper, 'Condition Analogous to Slavery', in *Beyond Slavery: Explorations of Race, Labor, and Citizenship in Postemancipation Societies* (Chapel Hill: University of North Carolina Press: 2000), pp. 107-149

<sup>89</sup> Ibid, p. 111.

Writing on emancipation, Paul Lovejoy and Jan Hogendorn showed that most slavery cases brought before court were related to women, with many of them resulting in the transfer of women for concubinage. Thus this clarifies the fact that the use of women as concubines as well as clandestine slaves continued in the colonial period.<sup>90</sup> Similarly, Ahmad Sikainga states that, in Sudan, female slaves waited until judicial reforms in 1930 to obtain their manumission.<sup>91</sup> On the other hand, the reaction of freed slaves after their emancipation varied from one part of Africa to another. All studies emphasised that some slaves chose to remain with their owners and to redefine their relationship, while others moved away and broke all ties with their former owners. In general, ex-slaves had their own version of freedom. But when colonial officials insisted on transforming them into wage labourers, ex-slaves insisted on autonomy. According to Cooper, places such as Zanzibar and coastal Kenya were administered by British officials who were committed to providing and maintaining a successful plantation sector in order to help slaves make the transition to freedom by means of contract labour tenancy. However, there was demand for regular year-round labour from ex-slaves which they refused to participate in. Instead, they worked towards growing their own plantations whenever they could, whilst they grew very little on their landlord's farm. They also went into market farming by selling produce which they did not consume. They chose to be neither slaves nor proletarians.<sup>92</sup> Although the purpose of the struggle to gain autonomy via amassing plantation lands was clear, the social and economic transition that took place remains undocumented. For example, many ex-slaves worked under different terms, or squatted while working for their former owners. Lovejoy and Hogendorn described the situation in northern Nigeria:

Northern Nigeria indeed became a mass of peasant cultivators under colonialism. The process of "peasantization" was closely associated with the transition from slavery to freedom. Many slaves and their descendants became sharecroppers or tenant farmers and were forced to find dry season employment, often migrating great distances in search of temporary work. Finally, slaves on the officials states of the

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<sup>90</sup> Lovejoy and Hogendorn, *Slow Death for Slavery*, pp. 234-235; for more details, see: Paul. E. Lovejoy, 'Concubinage and the Status of Women Slaves in Early Colonial Northern Nigeria', *Journal of African History*, 29 (1988), pp. 245-266.

<sup>91</sup> Ahmad Alawad Sikainga, 'The Shari'a Court and the Manumission of Female Slaves in the Sudan', *International Journal of African Historical Studies*, 28 (1995), p. 24.

<sup>92</sup> Cooper, *From Slaves to Squatters*, p. 4.

aristocracy continued to work under condition that were more akin to the plantation agriculture of the late nineteenth century'.<sup>93</sup>

The majority of the books discussed above emphasise social or economic conflicts that affected the end of slavery and the relationship between slaves and societies. However, far too little attention has been paid to the social lives of slaves, or the history of emancipation and its aftermath in Libya. Still, these works remain relevant to this project because Libya is a part of the Mediterranean world and a part of the slave route.

### **The Meaning of Slavery in Libya**

This thesis seeks to investigate the economic and the social aspects of slavery in Libya. It concentrates in the regencies of Libya, Tripoli, Fezzan and Ghadames in the period 1800-1950. Libya is a country in the Maghreb region of North Africa bordered by the Mediterranean Sea to the north, Egypt to the east, Chad and Niger to the south, Sudan to the south east, Tunisia and Algeria to the west. Squeezed between the sea and the desert, the climate in Libya was unfavourable for large scale commercial agriculture. Its water supply was scant, and no region received enough rainfall. Access to water became key for developing commercial activities in Tripoli and other coastal cities. In Libya, Tripoli was a leading centre of commercial centre dating back to the Phoenician era. The Phoenicians launched a market and commercial centre in Tripoli when they first arrived in the 1st millennium BC.<sup>94</sup> The oasis of Ghadames also benefitted from its access to water. Located to the west and surrounded by the Hamada desert of Tanghirt, the oasis was fed by the 'Ayn al-Faras spring. The majority of the city's population was involved in agriculture, mainly cultivating the date palm. Commerce dominated the economy of Ghadames. Subsistence agriculture came second but helped its population survive over the years.<sup>95</sup> The region of Fezzan encompassed several oases that stretched from Tripoli in the north to the borders of Chad in the south. Murzuq, its capital, was blessed with

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<sup>93</sup> Lovejoy and Hogendorn, *Slow Death for Slavery*, p. 286.

<sup>94</sup> Ahmad Sidqqi al-Dajani, *Libya Qubayla al-Ihtilal al-Itali 1882-1911* (Cairo: al-Matba'a al-Faniya, 1971) p251; 'Abdarrahman Tshaiyji, *al-Sira' al-Turki al-Faransi fi al-Sahra' al-Kubra* (Tripoli: Markaz Dirasat Jihad al-Libiyin, 1993), p. 55; Wright, *The Trans-Saharan Slave Trade*, p. 114; Bovill, *Caravan of the Old Sahara*, p. 246.

<sup>95</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, p.111; Boahen, *Britain, The Sahara and the Western Sudan 1788-1861*, p. 113.

water year-in year-out. Plentiful groundwater led to the development of farms, gardens, palm lands and rich pastures, making agriculture the main activity of the local people besides practising trade.<sup>96</sup>

This thesis will study the economic importance of slavery in the trans-Saharan caravan trade of Ghadames. It will discuss the social life of slaves, the status of slaves in Libya, and the legal and social history of slavery, such as their day-to-day use amongst the local population. The research will analyse patterns of manumission, how it occurred, and whether or not these processes of emancipation changed over time. Finally, the social history of freed slaves in Ghadames and Tripoli in the nineteenth and twentieth centuries will be explored. Some of the former slaves in Libya unquestionably improved their status, and a substantial minority of them actually became important and powerful members of society.

A number of factors, namely conflict situations arising from civil wars, jihads and struggles against colonial invasions, presented further opportunities for both the restriction and expansion of trade in goods for the trans-Saharan traders in the nineteenth century.<sup>97</sup> Simultaneously, there was a marked increase in the connection between interregional and transcontinental caravan traffic with the already well established European and Afro-European maritime trade with its posts along the Senegal and Gambia Rivers. The long standing cross-cultural exchange, a result of the convergence of African and European commerce, established since before the Phoenician emporium of Carthage, continued into the nineteenth century. In the latter century, Maghribi and Mediterranean Jews, took up their roles as international brokers of maritime and trans-Saharan commerce, regaining some of the economic prominence they had lost since the program. The early 1800's saw a development in the increasing demand for an end to the slave trade. European abolitions took effect, seeing a slowing down of the trans-Atlantic slave trade. This, with a heightened focus on a set of commodities targeted by local and foreign merchants who saw the profit to be maximised in their demand, triggered a significant growth in the sheer volume of transcontinental commerce.

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<sup>96</sup> al-Abyad, *Madina Murzuq wa Tijara al-Qawafil*, p.55

<sup>97</sup> For a good over view of *Jihads*, see: Paul E. Lovejoy, *Transformations in Slavery* (Cambridge: Cambridge University Press, 2000), pp.191-225; Ghislaine Lydon, *On Trans-Saharan Trails*, pp.112-124.



Whilst the traditional, historic caravan trade continued into the nineteenth century, what began to be observed was the influence of new products flooding African markets; firearms, gunpowder, industrial cotton cloth, green tea, and refined sugar were the primary European imports. Naturally, the influx of these goods had a transformative effect on consumer behaviour in Africa. Furthermore, the proliferation of firearms, the consolidation of Islamic polities, and organized resistance to European occupation, combined they served to contribute to an escalation of violence and enslavement; the trans-Saharan slave trade supplying Africa and Middle Eastern markets endured. But slave trade apart, European markets had by now developed a taste for the gold, the ivory, the gum Arabic, the extravagant ostrich feathers, just a few of the goods making the opposite journey.

Climatic shifts also played their part in affecting the trans-Saharan traffic. The first part of the century saw several severe sandstorms leading to aridity, on the other hand, in the region of western Africa a prolonged wet phase, from the late 1850s onward, benefited their agriculture and livestock development, including the camel-herding activities.<sup>98</sup> Without doubt, the colonization in 1830 of Algeria, France's first colony, caused a notable shift in caravan traffic toward Timbuktu and the markets of Morocco and Libya. As Newbury explains, "the immediate effect of military intervention and customs regulations along the southern frontier of Algeria in 1843 was to divert the trade of El Golea and Wagla to the market of Tafilalt and Ghadames in the east and west."<sup>99</sup> Newbury's pioneering article went a some way towards dispelling the initial myth that the trans-Saharan trade had been reduced to nothing to nil since the sixteenth century. Meanwhile, other scholarship by Lovejoy, Stephen Baier, Johnson went on to show that rather than declining after 1875, traffic in fact continued to grow into the early twentieth century.<sup>100</sup>

Ultimately, these patterns changed as a result of the French colonisation in Algeria, but that was coupled with the disruption occasioned by jihads beginning in contemporary northern Nigeria and spreading further to the west as century

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<sup>98</sup> For a more complete account, see: Lydon, *On Trans-Saharan Trails*, pp. 108-111, 126-127.

<sup>99</sup> C. W. Newbury, 'North Africa and the Western Sudan in the Nineteenth century', *Journal of African History*, 7 (1966), p.235.

<sup>100</sup> Paul E. Lovejoy and Stephen Baier, 'the Desert Economy of the Central Sudan', *The International Journal of African Historical Studies*, 4 (1975), pp. 551-581; Marion Johnson, 'Calico Caravans: The Tripoli-Kano Trade after 1880 1985', *Journal of African History*, 17 (1976), pp. 95-117.

progressed and by climatic conditions. What all of these demonstrate is that the slave trade did continued to flourish even during this period, when there was increasing European activity, and an increasing European commitment at least to appearing to be abolitionist. Paradoxically, even wars to some extent sponsored by Euro-powers nominally combating slavery had the effect of displacing and enslaving people ultimately trafficked to Libya. Libya indeed was a country that worked in Trans-Saharan trade and slaves were one of the important commodities traded along the caravan routes from the Sahara oasis (Ghat, Ghadames, Fezzan and beyond) to the coast of Tripoli during the nineteenth century.<sup>101</sup>

Most of the caravans coming back from Sudan carried both male and female slaves – although young females were given preference, as they were often purchased by the ruling families to use as servants and concubines.<sup>102</sup> Only the strongest among the slaves survived the hardships of the road to reach the comfort of the city life in Libya or the Ottoman Empire. Thus there was much brutality in the acquisition and transportation of African slaves.<sup>103</sup> Moreover, slaves were not only sold locally. Indeed, the majority of slaves were exported to other Ottoman regencies, and from there on to Europe.<sup>104</sup> Until the 1850s, the Ottoman rulers regarded the slave trade as an open, acceptable and legal business, and appropriate taxes were levied and paid on it.<sup>105</sup> The Libyan National Archive shows that, until 1850, most of the slaves sent to Tripoli from Murzuq and Ghadames were directed to cities controlled by the Ottoman Empire, such as Istanbul, Izmir, Cyprus and Medley.<sup>106</sup> However, by the mid-nineteenth century, the volume of trade had decreased. Boahen claimed that the reduction was due to different factors including: commercial competition between Niger and Senegal; the conquest of Algeria by France; political

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<sup>101</sup> Wright, 'The Mediterranean Middle Passage, p. 44; al-Abyid, *Madina Murzuq*, p. 258.

<sup>102</sup> Wright, *The Trans-Saharan Slave Trade*, p.77; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.300; Wright, *Nothing Else but Slaves*, p.221; John Fransis Lyon, *Min Tarablus hatta Fezzan 1818-1820*, trans.by Mustafa Juda (Tripoli: al-Dar al-'Arabiya li-l- kitab, 1966), p. 204.

<sup>103</sup> Wright, *The Trans-Saharan Slave Trade*, p. 83.

<sup>104</sup> Marwan, *al-Haya al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 330-331; Wright, *The Trans-Saharan Slave Trade*, pp. 127-36.

<sup>105</sup> Folayan, *Libya Athna' Hukim Yusuf Pasha al- al-Qaramanli*, p. 120; Wright, 'The Mediterranean Middle Passage', p. 43.

<sup>106</sup> Ibn Isma'il, *Inhiyar Hukim al-Usra al-Qaramanliya*, p. 198.

instability in the area of Timbuktu after the fall of the Songhai; the nineteenth century wars in Bornu, Fezzan and Agades; and the abolition of slave trade.<sup>107</sup>

Following the prohibition of the slave trade amongst European powers in the middle of the nineteenth century, and the pressure they exercised on the Ottoman authorities to prohibit it,<sup>108</sup> the quantity of slaves traded through Libya continued albeit on a diminishing in scale.<sup>109</sup> Their use amongst the local notables persisted until the Italian occupation of Libya in 1911. For example, Italian Foreign Ministry documents from as late as 1908 refer to the continuation of the domestic slave market in Libya.<sup>110</sup> The difficulties in prohibiting the trade and consequent use of slaves in this North African regency were due to the fact that most of the slaves remained voluntarily with their masters, due to the patronage they received and lack of employment opportunities.<sup>111</sup> In Libyan society, it was common to have house slaves, particularly among the ruling and powerful families. It was claimed that domestic slaves were considered members of the household, and a relatively high degree of intimacy existed between them and their masters.<sup>112</sup>

The registers of the legislative courts of Tripoli and Ghadames, commercial correspondence, and the memories of Hassan al-Faqih Hassan, show that the use of slaves as servants, caravan workers and concubines was a widespread social phenomenon. As an example of this, it should be noted that in some cases a marriage contract between members of high-ranking Tripoli families would not be signed if it were not clearly stated that a personal female slave would be given as a gift to the bride.<sup>113</sup> In addition, slave emancipation was a common practice in Libya during the period of legal slave trade. This is supported by Tripoli and Ghadames court records,

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<sup>107</sup> Boahen, 'The Caravan Trade in the Nineteenth Century', *Journal of African History*, 3 (1962), pp. 349-359.

<sup>108</sup> Ralph A. Austen, 'The Mediterranean Islamic Slave Trade out of Africa: A Tentative Census', *Slavery and Abolition*, 13 (1992), p. 229; al-Fituri, *Libya wa Tijara al-Qawafil*, pp. 21-22; E. Bovill, *Caravan of the Old Sahara*, pp. 258-259.

<sup>109</sup> Rossi, *Libya Mundhu al-Fath al-'Arabi*, pp.447-48; Wright, *The Trans-Saharan Slave Trade*, pp.153- 62.

<sup>110</sup> MLMDT (T), QWJ, *Watha'iq Wazarit al-Kharjiya al-Italiya*, doc. no. 6,8,9,17,33.

<sup>111</sup> Rossi, *Libya Mundhu al-Fath al-'Arabi*, p.452; Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

<sup>112</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.549; al-Fituri, *Libya wa Tijara al-Qawafil*, p.21; Wright, 'Nothing Else but Slaves', p. xiii.

<sup>113</sup> MLMDT (T), QWA, *Milfat* [files] *Ahmad al-Faqih Hassan, al-Mu'amalat al-Tijariya* [Commercial Transactions], File number.24, doc. no. 229; MLMDT (T), QA, SMSTG, 1836-1838, p. 54.

travel accounts and oral interviews. There were four types of emancipation: manumission as a religious act; self-purchase; liberation after the death of the master; and liberation of concubines who bore their master a child. However, emancipation was made compulsory upon masters in Libya after the abolition of the slave trade, particularly in areas under Ottoman and Italian rule. Nonetheless, the process of emancipation was dictated in Ghadames according to one's situation. For example, in 1930, slaveholders had to liberate their slaves in groups due to their inability to sustain them (that is, to provide clothes, food and protection) as stipulated by Islamic law, due to the decline of the trans-Saharan trade. Court evidence, travel accounts, merchant correspondences, interviews and diaries also revealed the complexity of the process in the period between 1800 and 1950; many of freed people retained close relationships with their ex-masters and acted as clients or dependents, such as caravan workers. It is reported that this was especially prevalent among slaves who maintained close relationships with the families of their previous owners due to the patronage they received and lack of employment opportunities.

On the other hand, there were low-wage labourers, and many ex-slaves who retained or broke ties with their former masters worked on unfair wages. There existed abuses in that irregular work and low wages that were prevalent in Tripoli, Fezzan and Ghadames. Furthermore, there was a stigma associated to being a slave; free-born citizens had more rights than freed slaves. For instance, a freed slave was not allowed to marry a free-born according to local laws. Nonetheless, slaves fought these laws in court and claimed their rights, positions and obligations. Thus, this shows slaves' responses to changes in their status. At this point, what emerges is an understanding that the slave trade during the regency of Libya has to be understood as a two-fold phenomenon: on one hand, it had an economic dimension motivated by trade and profit, not dissimilar to the Atlantic trade. But on the other, the Libyan slave trade was also a social phenomenon, rooted in the local culture and Islamic traditions.

### **Sources**

There are, to date, very few studies which have effectively examined Libya's legal documents to reconstruct slave life. Three scholars have attempted such an analysis,

but none has addressed the social and cultural history of slaves in Libya.<sup>114</sup> The principal primary sources used in this thesis are the records of the Islamic courts of Tripoli and Ghadames, the two cities chiefly involved in the caravan trade (*sijillat mahkama shari'iya*). Material for these cities is available in the National Centre for Archive and Historical Studies in Tripoli and its branch in Ghadames. This archive houses a total of 3820 hand-written registers, mainly written in Arabic Maghreb script (with a few written in Ottoman Turkish) from everywhere in the country, spanning from 1741 to 1911. Each volume had between a few dozens and seven hundred cases, usually identified with dates, places and names of the defendants and plaintiff. As an institution, *shari'a* courts had the responsibility of regulating personal status such as marriage, divorce, slavery, freedom, inheritance, property and trade.

The hundreds of thousands of records of endowments, marriage contracts, property, slavery, manumission, divorce, sale contracts and estates contained in these registers, provide great insight into the everyday use of slaves in Tripoli by documenting how Islamic law regulated enslavement, the relationship between slaves and masters, and manumission. They provide snapshots suggesting what slaves were doing outside of their ownerships. Although court cases represent a small and unrepresentative sample of the totality of slaves' social history in Libya, they nonetheless suggest the boundaries of slaves' experiences and the limits they found to their lives. This thesis uses nineteen volumes of the records of the Islamic courts of Tripoli written in the nineteenth (Ottoman period) and early twentieth century, ten volumes of which are from the first half of the nineteenth century. These sources derive from a period when trading in slaves was an open, acceptable and legal business. This research will also use another volume of the court records of Ghadames written after the abolition of slavery.

The Libyan Center for Archives and Historical Studies in Tripoli (and its branch in Ghadames) also house numerous archival collections on law and trade, as well as documents for local businesses which also be consulted. The collection of the

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<sup>114</sup> Aharon Layish, *Divorce in the Libyan Family: A study based on the Sijills of the Shari'a Courts of Ajdabiyya and Kufra* (New York, London: New York University Press, 1991); Muhammad 'Umar Marwan, *Sijillat Mahkama Tarabulus al-Shari'iya 1174-1271h/1760-1854* (Tripoli: Markaz Jihad, 2002); Claudia Gazzini, 'A Preliminary Look at the Tripoli Courts Records as Sources for Modern Libyan History' (unpublished doctoral thesis, Oxford University, 2009).

private letters of families who worked in caravan trade in Ghadames, such as al-Katli, al-Thani, al-Man‘ Bamtida, Aq, and Hiyda, written during the nineteenth century will also be used. The majority of these documents are commercial correspondence between traders, and between merchants and their slaves and former slaves. They show how merchants interacted and traded, and also describe the means of transportation: in particular, payloads of camels; bills; the security of the roads, and commercial goods and their prices. Some of the correspondence also states the purchase of books, social customs and personal registers such as birth and death. With these documents, it is possible to evaluate the slave trade, in terms of when it ended, and how the abolition of the slave trade affected the caravan trade. Also, many of these documents were written by literate Muslim slaves and ex-slaves who were caravan workers and agents of their masters and former masters in the nineteenth century.<sup>115</sup> These documents emphasised their knowledge of caravan trade, not their inferiority. It also emphasised the close relationships and respect between masters and ex-masters and slaves and former slaves. One of the most striking features of the correspondences written is the level of respect accorded to the slaves by their masters. This characteristic parallels what was noted by Hall who used the correspondence of two slaves that worked as agents for their masters in the Niger Bend and Central Sahara during the second half of the nineteenth century. Similarly, Hall highlights how Muslim slaves made argument when addressing their masters using the rhetoric of slave owner patronage and social hierarchy, since it was their ability to embody Islam as good Muslims that allowed them to enjoy a degree of social autonomy as junior members of their master’s trading enterprise.<sup>116</sup> He looks at how slaves used their Muslim identity as a means of claiming the position of a trusted client in their master’s enterprise. Rather than dispute their inferior status as slaves, they insisted that their fidelity to their master’s commands were ensured by their moral character as Muslims.

However, the use of these documents provided some difficulties, such as the language used to write these letters, which was a mixture of Ghadames’ local dialect and classical (formal) Arabic, as well as the difficulty in reading these handwritten

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<sup>115</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, p. 54. Richardson, *Tirhal fi al-Sahra*, p. 152. Cf. Bruce.S.Hall, ‘How Slaves used Islam: The letters of Enslaved Muslim Commercial Agents in the Nineteenth Century’, *Journal of African History*, 52 (2011), pp. 283-284.

<sup>116</sup> Hall, ‘How Slaves used Islam’, pp. 279,296.

documents. However, my fluency in Arabic and past experience in handling these hand-written Arabic sources is a great asset in understanding this material.<sup>117</sup>

In addition, the majority of this correspondences date back to the second half of the nineteenth century, with little or no information in many of the these documents about the place of the sender and recipient of the letters. In some cases, there were no records of the date on the documents. Therefore, some of these problems were resolved in this research via the use of published documents of Ghadames which were collected and investigated by Bashir Qasim Yusha', a resident of the city of Ghadames and a descendant of one of the well-known families who worked in the caravan trade. He collected and investigated 300 Ghadames documents and put them into two books; the first entitled *Watha'iq Ghadames, Watha'iq Tijariya, Tarikhiya, Ijtima'iya* was issued and published in 1982, containing documents from 1813 to 1892, and the second book with the same title published in 1995 contained documents from 1542 to 1924.<sup>118</sup> The location of the sender and receiver of the letters can be inferred by looking at the commodities being traded which can indicate whether the sender or the receiver resided somewhere in sub-Saharan Africa or Ghadames. Documents can be approximately dated by the language of the letter; that is, the letters were written at a time when trading in slaves was abolished, or still legal business. For example, in one of the correspondence, the sender informed his partner about the difficulty of selling off his 20 slaves due to the decline in slave market and that he was earnestly seeking buyers through prayers. Such situations did not exist prior to the abolition of slavery.<sup>119</sup>

Further source material is derived from interviews with fourteen informants, five participants from Ghadames, four from Fezzan and five from Tripoli. All fourteen interviewees were with members of prominent families who had a number of slaves to serve at their house, to work in farms or engage in trade, except for one

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<sup>117</sup> For a new approach about manuscript and Arabic literacy, see: Graziano Krätli; Ghislaine Lydon (eds), *the Trans-Saharan Book Trade: Manuscript Culture, Arabic Literacy and Intellectual History in Muslim Africa* (Leiden: Brill; Biggleswade: Extenza Turpin distributor, 2011).

<sup>118</sup> Bashir Qasim Yusha', *Watha'iq Ghadames, Watha'iq Tijariya, Tarikhiya, Ijtima'iya 1813-1892*, vol.1 (Tripoli: Markaz Dirasat Jihad al-Libiyin did al-Ghazu al-Itali, 1982); Bashir Qasim Yusha', *Watha'iq Ghadames, Watha'iq Tijariya, Tarikhiya, Ijtima'iya 1542-1924*, vol. 2 (Tripoli: Markaz Dirasat Jihad al-Libiyin lil-Dirasat al-Tarikhiya, 1995).

<sup>119</sup> MLMDDT (G), Collection of Hiyda Famiy, doc. no.14.

interviewee (Zarruq) from a middle-class family with a domestic slave in Tripoli. The key informant of these were conducted in Ghadames, where a man named Ahmad was interviewed. Ahmad descended from a famous business family involved for centuries in the caravan trade in the city. It has been stated that he is one of the most authoritative sources of knowledge about the caravan trade in Ghadames. We discussed the caravan trade, traded commodities, the relationship between slaves and masters, patterns of manumission, usage of slaves, and wage labour in Ghadames after the ending of the caravan trade. Another key interview was with a retired caravanner al-Hajj Ramadan who was born in Ghadames in 1918, and descended also from a renowned business family. He worked in the caravan trade from the age of twelve, and lived in Kano between 1948 and 1966 where he owned several properties. He described in detail the caravan trade, the practice of manumission in Ghadames and Tripoli, why masters emancipated their slaves, and the relationship between former slaves and ex-masters. He learnt about these issues from his father, who transmitted these from his grandfather. Similar questions were raised with three people in Ghadames who will be referred to as Khadija, Khalid, and Ali. They provide similar ideas to previous interviewees; however, one of the interviewees, Ali, discussed a case from his work experience as a judge at the court of Ghadames. This case gives details about clientship in Ghadames, and shows the continuity of enslavement that persisted in Ghadames – even after its official abolition – between 1856 and 1950.

Five interviews were conducted in Tripoli; the participants will be called Zarruq, Ibrahim, ‘Abdul‘aziz, Fatima, and Qjman. For example, Fatima is an elderly lady descended from an elite family in Tripoli, whose ancestors used to have slaves working as servants. In these interviews, the usage of slaves, the relationship between masters and slaves before and after manumission, and clientship were discussed. These interviews provided ideas about the acquisition of slaves, the usage of slaves, relationships between slaves and masters, and social lives of slave community in Tripoli. The most important interview in Tripoli was with Zarruq, who recounted two stories about female slaves, who lived in Tripoli, which exemplifies the experience of ex-slaves. ‘Abdul‘aziz, a highly educated person from Tripoli, worked as Consul in Kano in the year 1955; his father was one of the merchants of Tripoli who worked in the caravan trade and resided in Kano. ‘Abdul‘aziz related



another important story about a former slave of a Tripoli trader. Four informants originating from Fezzan (one of the most famous cities in the caravan trade) were also interviewed in Tripoli. They were often highly educated. No longer living in the town under investigation. One, who will be referred to as Salah, provided data about his family, and his tribe's experiences in the usage of slaves, (servants, and peasants) reasons of emancipation, and the life experiences of former slaves. The data he provided gives an alternative view about the harsh treatment of slaves and ex-slaves in Fezzan, especially in the agricultural sector. Others such as Muftah, Emehemed and Salma gave a similar view about sharecropping in Fezzan.

These interviews informed this thesis's exploration of the social and economic lives of slaves before and after the abolition of slavery. All the interviews provided details about the acquisition, usage of slaves, relationships, slave market and wage labourers which were not available in the archival documents. Furthermore, the interviews conducted in Tripoli and Ghadames consolidate the information from the court and business records. However, these interviews were mostly drawn from elite former slave owning families which necessarily would give us a rosy and romanticised view of slaveholding. The descendants of masters remember what their families did with their slaves and former slaves. It is not necessary to believe their specific claims about how well their ancestors treated their slaves. What is useful is the standards by which this judges whether their ancestors' treatment of slaves was good, gentle, bad or harsh. It can at least be believed that these interviews by the descendants of the masters inform us about how their ancestors understood the character and duty of a good master. Collecting oral material on slavery is extremely difficult, because of the stigma attached to such a sensitive subject. Moreover, slavery has become an explosive political issue since 2011, due to its revival in the course of the transformation from the Gaddafi regime to a new regime.

This thesis suffers from lack of interviews from the descendants of slaves; that is the other side of the picture of the moral economy of slavery in Libya. Ideally, we ought to know what slaves considered as the characteristics of a good or bad master, how they perceived the actions of their masters and whether they lived up to their duties, and what they considered as realistic alternatives if owned by such masters. Unfortunately, it was impossible to conduct such interviews with the

descendants of slaves as this research occurred during the Libyan revolution, hence making the topic of slavery particularly sensitive due to the stigma attached to it. Similarly, the research interviews with the descendants of slave masters were rather difficult, because race was an existing issue during the Libyan revolution. It was tricky to get anyone to talk about the history of slavery in Libya especially since people were particularly vulnerable after the downfall of the Qaddafi government. Thus, although slave descendants were reluctant to talk about their slave history, it is possible that in another ten years the situation will become less tense and quite likely that a non-Libyan researcher rather than a Libyan researcher would be able to gather more candid opinions from slave descendants who will more freely discuss their families' experiences of enslavement.

This thesis also employs the memoirs of Hassan al-Faqih Hassan, who was born in Tripoli in 1781.<sup>120</sup> Descended from a famous business family in Tripoli, he was one of the senior traders in the city. Following in his father's footsteps, Hassan had financial relationships with Yusuf Pasha (the Qaramanli Governor).<sup>121</sup> The author lived through the last three decades of the Qaramanliya era (1800-1830), and also through three decades of the second Ottoman period in Libya (1835-1865). In his memoirs, he recorded the political, administrative and military events which led to the end of the al Qaramanli regime, as well as prices, and information relating to the currency market, taxes and the caravan trade. He also recorded public daily life in Tripoli, such as marriages, divorces, births, mortality rates, religious occasions, crimes, disease and epidemics. An interview with one of the editors of this memoir, 'Ammar Jhaidar, in May 2014 shows the importance of using the diary to write about the social history of slaves in Tripoli. From Jihydar's experience of analysing court records, he stated that Hassan's memoirs were reliable, and acknowledged that the dates correlate with the court records in Tripoli. He suggested that scholars should use Hassan al-Faqih Hassan's work. Thus Hassan's memoirs will be used to compare memories with court records in Tripoli to construct a history of Libya in the nineteenth century.<sup>122</sup>

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<sup>120</sup> Hassan al-Faqih Hassan, *al-Yaumiyyat al-Libiya*, ed. by 'Ammar Jhaidar and Muhammad al-Usta, vol. 1 (Tripoli: Markaz Dirasat Jihad al-Libiyin, 2001).

<sup>121</sup> Yusuf Pasha was one of the Qaramanli family who ruled Libya from 1792 to 1832.

<sup>122</sup> Interview with 'Ammar Jihydar, by Amal Altaleb, Tripoli, 13/6/2014.

The thesis also employs several Arabized sources from European travellers during the period studied, such as Richard Tully, a relative of the British Consul who came with his family to Libya. This book contains a series of letters written by Miss Tully between 1783 and 1793 to an unknown recipient, of her observations about the social life of slaves before and after emancipation within and outside of the Castle of Tripoli. The letters she wrote during her ten year residence at the court of Tripoli were translated into Arabic by Umar al-Dirawi Abuhijla in 1989.<sup>123</sup> Miss Tully's correspondence is described in Khalifa al-Tillisi's book as an important source of information on the Qaramanli royal family, elites, and ordinary people during the Qaramanli era, particularly in the final era of Ali Pasha Qaramanli.<sup>124</sup> Similarly, in his book, al-Tillisi observed and wrote about the duties of slaves, slave emancipation, and their social life after emancipation.

This thesis also utilises the travel accounts of Major Alexander Laing, who was deployed to Africa by the British Ministry of Colonies to gather data about the river of Timbuktu. In the account (written in 1825 and translated to Arabic by Maktibat al-Firjani in 1974), Laing described his travels from Tripoli, which was at that time, a strategic centre of the caravan trade to sub-Saharan Africa.<sup>125</sup> He then passed through the city of Ghadames where he recorded a substantial amount of information about the city, its inhabitants and its commercial activities. Laing's account is known to be the oldest record of the commercial traffic and activities in Ghadames.

Another travel account used for the purposes of this research is that of James Richardson.<sup>126</sup> He travelled through Ghadames in late 1845 and departed in early 1846. The Arabic translation of the account was published by the University of Qaryunis in 1996 under the title *of Tirhal fi al-Sahra*. His account records adequate information on Ghadmes' businesses, especially the slave trade. This was based on his initial mission, which was to prevent the slave trade in Africa, so it is important to carefully study Richardson's writings for exaggerations about the slave trade. Yet,

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<sup>123</sup> Richard Tully, *'Ashar Sanawat fi Balat Tarbulas*, trans. by 'Umar al-Dirawi Abuhijla (Tripoli: Maktabat al-Firjani, 1989).

<sup>124</sup> Khalifa al-Tillisi, *Hikaya Madina Tarabulus Lada al-Rahala al-'Arab wa al-'Ajanib* (Tripoli: al-Dar al-'Arabiya lil-Kitab, 1974), p. 117.

<sup>125</sup> Alexander Gordon Laing, 'Rahalat wa Rasa'il Alexander Gordon Laing' in *Rihlatan 'Bra Libya*, trans. by Dar al-Firjani (Libya: Maktabat al-Firjani, 1974).

<sup>126</sup> James Richardson, *Tirhal fi al-Sahra*, trans. by al-Hadi Abulqma (Benghazi: Jamm'it Qariunis, 1993).

his account contained relevant information about the social life of slaves in the city, the treatment of slaves, and their status within the community.

### **Outline for the Thesis**

This dissertation is intended to give the first comprehensive account of the history of slavery in Libya, and its abolition in the period between 1800 and 1950. In this way, the thesis aims to further our understanding of the social life of slaves in Libya during this period. The chapters are organized thematically, and so this thesis does not provide a strictly chronological narrative. Rather, it is a story that explores long-term changes that occurred over the time period of 1800 to 1950. Ultimately, the process of slave emancipation in Libya was far different from that of Americans or even many places of sub-Saharan Africa, as events in Libya unfolded much more gradually similar to Egypt and Mauritania.<sup>127</sup>

This introduction has situated the project within the relevant historiographies of slavery in the Islamic world in Sub-Saharan Africa. This approach locates this thesis within the study of the process of emancipation, determined by the status of Libyan slavery as an Islamic legal category, and by the close ties and sociological similarities between Libya and sub-Saharan Africa, especially the west African savannah and sahel. Manumission poses methodological and comparative problems; legal procedures of manumission and the corporal stigmas of former slave status varied across Africa and the Mediterranean.

Chapter One focuses on the slave trade in Ghadames during the nineteenth century. It evaluates traders' commercial thinking. Were slaves a unique fixation of these merchants, or were they understood as one commodity among others. The chapter explores how the number of enslaved people traded varied according to the needs of the market like any other marketable commodities at the time, such as ivory and ostrich feathers. This chapter also investigates the impact of abolition in 1856 on Ghadames merchants and their trade by showing that the caravan trade did not decline with slave abolition but persisted until the Italian occupation of Libya in 1911. It also investigates the multiple attempts to abolish the slave trade, and how it persisted after formal abolition in 1856 due to the mixing of slaves and other commodities within the caravans. Samples of authoritative documents for local

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<sup>127</sup> For examples of this approach in Egypt, and Mauritania, see: R. Segal, *Islam's Black Slaves: A History of Africa's Other Black Diaspora* (London: Atlantic Books 2001), ch.12; Walz, 'Black slavery in Egypt', p.138.

businesses in Ghadames will be used. A special focus will be placed on the city of Ghadames as it was one of the main centres of the trans-Saharan trade routes due to its key location along the road to Sudan. Commercially, this city was probably the most important rendezvous and refreshment points on the route, and the southern terminus of the Sahara.

Chapter Two discusses in depth the social life of slaves, the status of slaves in Libya, and the legal history of slavery. It will also provide brief information about Maliki rules on slavery, slave ownership, and manumission and it will explore the functions of slaves and discuss slaves' impact and role in notable families, as well as their relationships with influential people, such as merchants and landowners. This chapter will use travel accounts, commercial documents and court records to explore the fate of the slaves, and will also discuss how slaves adjusted to their masters and to their new conditions after settlement. It will analyse cases of runaway slaves, the theft of slaves, and how slaves were treated by the society, with the aim of answering the following questions: what were the rights and duties imposed on masters to deal with slaves? What were the patterns of slave resistance and how did masters react? The most significant contribution to scholarship will be an analysis of what was considered good treatment of slaves according to the master view. This chapter will also discuss how slaves got married to each other, and explore their position in wider society.

Chapter Three deals with patterns of manumission from slavery, and focuses upon how slaves experienced the transition to freedom. The rights and duties of slaves will be discussed before defining the concept of manumission which had different forms across the nineteenth century. Libyan slavery had an elaborate set of legal procedures governing emancipation, which provides documentary evidence of the religious and economic motives that shaped manumission. These patterns of manumission have changed across time as a result the prohibition of the slave trade among European powers in the middle of the nineteenth century and the pressure they exerted on the Ottoman authorities to prohibit the slave trade. At this point, the thesis will examine Ottoman and Italian policies to emancipate slaves. This chapter will also explore factors such as the number of the emancipated slaves, and will question whether changes in emancipation in Ghadames were because of the abolition of slavery or because of the destruction of the caravan trade.

Chapter Four consolidates the social history of freed slaves in Ghadames Fezzan and Tripoli in Libya in the nineteenth and twentieth centuries by exploring how emancipation changed the lives of this community of freed slaves. The first half of the chapter focuses on the post-emancipation economic ties of former slaves in Libyan society, such as caravan workers, wage labourers and child labour. The second half of the chapter will provide an overview of (*al-wala'*) clientship, marriage and divorce patterns within former slave communities. This will be achieved by exploring the nature of marital problems, the causes and the impact of divorce upon female slaves, and their post-divorce situation. Many scholars of slavery in Libya have portrayed slaves as a mere commodity, devoid of any social existence. Therefore in order to shrink the gap between this limited portrayal and a more accurate representation of slaves and ex-slaves, a broad range of topics were researched. These include experiences of slave labour, family life, social relationships, and the processes of abolition. In exploring these themes, this thesis fundamentally challenges any approach that reduces slaves simply to a commodity.

## **Chapter One: Trading in Slaves**

### **Introduction**

In April 1297/1880, the trader Muhammad Bamtida sent a letter to Musa, whom he termed “brother”, a freedman who had formerly belonged to his cousin Ahmad ibn ‘Abdulhamid Muhammad Bamtida. His cousin had sent for trade a *himl* containing 145 quilts and, as a present, a turban, red sandals, and 40 *riyal abutaira*.<sup>1</sup> In return he requested a female slave (*khadim*). The letter stated that she must be splendid, thick-haired, under the age of puberty or about to reach puberty, and also that the price was not an issue. However, if Musa couldn’t find a slave of this type, he was requested to obtain good feathers or any other trade goods that were marketable in Ghadames. At the end of his letter he reminded him again: “provide us with the news, spare no effort to find that slave or do your best to send the high-quality feathers”.<sup>2</sup>

This letter is part of a series of the commercial correspondence between traders in Ghadames and other places in Libya, North and west central Africa. Although we do not know where the recipient was, this discussion with a freedman reveals that the trading of goods was inter-mixed with the slave trade, especially with the request of a young female slave. The letter shows that freed slaves who worked in the caravan trade could maintain relationships with their former master’s families. Bamtida’s request appears to suggest that he is looking for a concubine; the request that she be on the verge of puberty is presumably a way of ensuring that she is a virgin. The request was made almost twenty four years after the slave trade had been formally abolished. This suggests that trading in slaves continued despite its legal abolition.<sup>3</sup> This letter demonstrates the close social and economic relationships

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<sup>1</sup> *Himl* (pl.*hmul*) means camel load, according to Marwan, most the documents indicate that each *himl* weighed between two and four *qintar*, with each *qintar* being equal to 51.282 kg. See, Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima’iya wa al-Thaqafiya*, pp. 238-239; *Riyal abutaira*: there were many local Turkish and foreign currencies used in Libya during the period under study, but it is not possible to give exact data about the exchanges of currencies because the value of the currencies changed over time, but it is clear that (*abutaira*): a coin with a bird image (*taira*) stamped on its side. It was one of the most local important currencies used in Libya and was equal to 24.5 *qrish* in 1875 and 18 *qrish* in 1889. Muhammad Mustafa al-Sharks, *Muhammad Mustafa al-Sharks, Sk wa Tadawil al-Nqwid fi Tarablus al-Gharb* (Tripoli: Markaz Jihad al-Libiyin, 1991), appendix .no. 8, p.98; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima’iya wa al-Thaqafiya*, pp. 229-230.

<sup>2</sup> Yusha’, *Watha’iq Ghadames*, vol.1 doc. no. 56, pp. 124-125.

<sup>3</sup> For similar documents show that trading in slaves continued with other commodities until 1888, see: Yusha’, *Watha’iq Ghadames*, vol. 2 .doc. no. 24, 45, 54, pp. 82-83,123-124,143-145.

between Libyan merchants and their former slaves. It captures the clear relationship of patronage which the freed people working on the caravan trade could retain with their former owners or the families of their owners. Furthermore, the letter shows that caravans were not exclusively carrying "slaves" or "legitimate" goods, but a range of commodities. The caravan trade was central to the dynamics of slavery in Libya. The trade was central to Libya's access to all commodities—including slaves—as well as being integral to the local economy. Its history is thus inseparable from the history of Libyan slavery and emancipation. The history of the caravan trade was pioneered by Bovill, whose seminal work documented caravan routes, the dynamics of the trade, and the types of commodities traded.<sup>4</sup> Subsequent authors studied the decline of the trade, particularly using quantitative history.<sup>5</sup> Others have located slavery in the large economy of Libya, charting the value of slaves in comparison to other commodities.<sup>6</sup> However, the above studies have focused narrowly on slave trade itself without placing it in the context of social history, international trade networks, Islamic law, or exploring the complex relationships between the slave trade and trade in other commodities.

By combining social and economic history, this chapter goes beyond the existing secondary literature and explores how economic relationships of the caravan trade shaped the everyday experience of slavery. By building on Marwan's approach this thesis will investigate the reliability of statistics of caravan trade in Libya which relied on European consul resources; whether such data overstated the number of slaves traded in Libya.<sup>7</sup> This research is innovative because it draws upon different sources, such as Ghadames documents, to evaluate the slave trade and its abolition in Libya. This chapter will demonstrate that traders considered slaves one commodity among others. It will also reveal that the slave trade continued long after its formal prohibition in 1856, and it will establish that the caravan trade did not decline after

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<sup>4</sup> Bovill, *Caravan of the Old Sahara*; Bovill, *The Golden Trade of the Moors*.

<sup>5</sup> Boahen, *Britain, the Sahara and the Western Sudan 1788-1861*; Newbury, 'North Africa', pp. 234-246; Marion Johnson, 'Calico Caravans', pp. 95-117; Haarmann Ulrich, 'The Death Ostrich Life and Trade in Ghadames (Libya) in the Nineteenth Century', *Die Welt des Islam*, 38 (1998), pp. 9-94.

<sup>6</sup> Paul E. Lovejoy, 'Commercial Sectors in the Economy of the Nineteenth-Century Central Sudan: The Trans-Saharan Trade and the Desert-Side Salt Trade', *African Economic History*, 13 (1984), pp.85-116; Ralph A. Austen, 'Trans-Saharan Slave Trade: A Tentative Census', in *The Uncommon Market, Essays in the Economic History of the Atlantic Slave Trade*, ed. by Henry A. Gemery and Jan S. Hogendorn (Academic Press New York San Francisco London, 1979), pp. 23-76; Wright, *Nothing Else but Slaves*; Wright, *The Trans-Saharan Slave Trade*.

<sup>7</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*.



slavery was prohibited, but continued with alternative commodities that were marketable and profitable at that time until the early twentieth century

This chapter is based on commercial documents from Ghadames families, the city that was prominent in slave trading with Bilad al-Sudan.<sup>8</sup> These documents hold significant information for further research into the administration of slave trading. Most of the documents used here relate to the commercial treaties of individuals involved in such activity. Although they provide reliable data, they do not satisfactorily capture the whole picture of slave trading. The documents are limited, and they belong mostly to prominent merchants of Ghadames at that time, such as the al-Katli, al-Man‘ Bamtida, and Hiyda families. These limitations have been compensated for via analysis and comparison of existing literatures, investigation of research topics via interviews, to link ideas and reach integral and credible conclusions.

The first section of the chapter begins by examining the city of Ghadames, which was a key inland and commercial hub in trans-Saharan caravan routes, chiefly due to its location and economic importance of the city in the caravan trade. It explores the merchants of Ghadames, the factors that contributed to their success, and their experiences in the caravan trade. It also assesses the number of Ghadames traders working in the caravan trade, in some North African cities, and other African territories, known as Bilad al-Sudan, and discusses the routes towards the south, that the merchants of Ghadames and Tripoli used to follow. Finally, it deliberates the factors that contributed to the ultimate elimination of the caravan trade.

The second part of this chapter starts by surveying the three main historiographical approaches to the caravan trade. One of the approaches was initially led by Bovill (1933, 1958), and was concerned with studying the caravan trade in general, over a long period, looking at routes, the dynamics of the caravan trade, and traded commodities; this work was extended by Boahen (1964), Newbury (1966), Johnson (1974), and Haarmann (1998), who chiefly used British and

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<sup>8</sup> Bilad al-Sudan is a term meaning “land of the black people” commonly used in the commercial documents. In the context of Libyan commercial usage that determines these documents’ referents, it should be understood as denoting the regions south of the Sahara bounded in the east by the Nile and in the west by the Atlantic Ocean, which is today’s Chad, Niger, Mali, and northern Nigeria. Ahimda, *the Making of Modern Libya*, pp.19, 189.

European colonial sources.<sup>9</sup> They advanced the discourse from Bovill's broad chronologies to a more specific study of the caravan trade and its decline in the nineteenth century. Others, such as Austen (1979), Lovejoy (1984), and Wright (1989, 2007), were concerned with quantitative histories and the importance of the economy of slavery.<sup>10</sup> In 2009, a third group of scholars emerged, studying the slave trade using a variety of types of analysis. These scholars include Ahmida (1998) and Marwan (2009), who tried to locate slaves within the wider Libyan economy.<sup>11</sup> They tried to compare the worth of slaves in terms of their value (quantity) with other commodities such as ivory and feathers.

The final part of the chapter focuses on the slave trade in Libya during the nineteenth century. It assess traders' commercial thinking. Were slaves a unique fixation of these merchants, or were they understood as one good among many. The main concern of this chapter is the number of enslaved people traded according to the dynamics of the market, like any other marketable commodities at the time, such as ivory and ostrich feathers. It investigates whether the slave trade came to an end at a specific time, or whether it persisted for a long time after its abolition, and assesses the impact of the abolition on Ghadames dealers and the caravan trade.

## **1.1 Ghadames**

The city of Ghadames is located on the northern boundary of the Sahara desert.<sup>12</sup> It has been described by explorers and historians as one of the earliest commercial hubs in Libya, and continues to be inhabited and active today.<sup>13</sup> Archaeologists have found in the oasis marks of the eras and civilisations that followed from the pre-

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<sup>9</sup> Bovill, *Caravan of the Old Sahara*; Bovill, *The Golden Trade of the Moors*; Boahen, *Britain, the Sahara and the Western Sudan 1788-1861*; Newbury, 'North Africa'; Johnson, 'Calico Caravans'; Ulrich, 'The Death Ostrich'.

<sup>10</sup> Austen, 'Trans-Saharan Slave Trade'; Lovejoy, 'Commercial Sectors'; Wright, 'Nothing Else but Slaves'; Wright, *The Trans-Saharan Slave Trade*.

<sup>11</sup> Ali Abdullatif Ahmida, *al-Mujtama' wa al-Ist'mar wa al-Dawla fi Libya* (Beirut: Markaz Dirasat al-Wahda al-'Arabiya, 1998); Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*.

<sup>12</sup> Dickson, 'Account of Ghadames', p.255.

<sup>13</sup> Leo Africanus, *Wasif Africa*, trans. by Muhammad al-Khider, Muhammed Hajji, vol. 2 (Beirut, Dar al-Gharb al-Islami, 1983), p. 146; Laing, 'Rahalat wa Rasa'il Alexander Gordon Laing', p.195; Gerhard Rohlfs, *Rihla 'Bra Africa 1865-1867*, trans. by 'Imad al-Din Ghanim (Tripoli: Libyan Studies Centre, 1996), p. 188.

historic era (Jermant era) through to the Romans to the Islamic empire ages.<sup>14</sup> In the nineteenth century, the city of Ghadames enjoyed considerable commercial status.

Travellers who visited Ghadames in the nineteenth century, including Alexander Laing, Gerhard Rohlfs, Henry Barth and Muhammad al-Hash'ishi, emphasised that the city enjoyed considerable commercial benefits because its merchants depended mainly on the caravan trade for their livelihood. Laing visited the city in 1825 and admired the accounting techniques used by the merchants. He stated that these relatively modern techniques were used by merchants to calculate the total cost of goods for different countries, to work out tax payments and to estimate percentage rates of interests and profits of their trade. The effectiveness of these methods was also emphasized by virtue of the fact that risks and hazards were included to obtain accurate estimates, and records of sales slips and invoices were kept. Laing also observed that the merchants preferred to pay tax to the Pasha rather than rebel against him; they made and fulfilled oral agreements with the Pasha. They realized that war would deprive them of the privileges of commercial activities. Similarly, they paid tax to the Tuareg to prevent them from raiding and looting the city.<sup>15</sup> Barth (1850) stated that the dwellers of Ghadames were wealthy traders who invested all of their capital in commercial enterprises, stored their merchandise at home. He also claimed that "all the money with which the inhabitants of Tawat trade belongs to the people of Ghadames".<sup>16</sup>

Fifteen years later, Rohlfs (1865) described the city's commercial networks as stretching from Tripoli and Tunis in the north to Timbuktu in the south, so that the merchants of Ghadames became the arch-middlemen of trade between the Mediterranean and sub-Saharan Africa.<sup>17</sup> In support of this, the Tunisian traveller al-Hasha'ishi, in his long cross-desert trip to Sudan in 1896-1897, mentioned that the people of Ghadames prepared their children from an early age to learn the skills of trading and marketing. Immediately after the child had learnt a part of the Qur'an, he was sent to Tunis for merchant training (apprenticeship). Al-Hash'ishi described the

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<sup>14</sup> Al-Hadi Abulqma and Manswir al-Babwir, 'Ghadames wa Ghat Taw'ama al-Sahra', *Majalat al-Buhuth al-Tarikhiya*, 13 (1991), p. 80.

<sup>15</sup> Laing, 'Rahalat wa Rasa'il Alexander Gordon Laing', pp. 324,430.

<sup>16</sup> Tawt is one of the main centres in the western route of the Trans-Saharan trade. Boahen, *Britain, the Sahara, and the Western Sudan 1788-1861*, pp. 112-113.

<sup>17</sup> Rohlfs, *Rihla 'Bra Africa*, p.200; for a similar view, see: Laing, 'Rahalat wa Rasa'il Alexander Gordon Laing', p. 195.

merchants of Ghadames as the first people to revive the Sudan trade with Tunisia. They dominated trade in Sudan and reaped huge profits. He also depicted the merchants of Ghadames as open-minded and more astute than Libyan Jewish merchants. For example, once a Ghadamisi merchant got sums of money, he bought stock in Tunisia to start off a desert trade, with the possibility to reap millions.<sup>18</sup>

With such remarkable commercial activity, the merchants of Ghadames managed to dominate most commercial deals, especially in the first seven decades of the nineteenth century. They had good credit records and became the commercial brokers between the north and the south, especially between Tripoli and Kano.<sup>19</sup> The trade activities of Tripoli collapsed because of upheavals that started with the taking of Darfur by the Mahdiya, which affected and alarmed the Tripoli merchants, who in turn ceased sending caravans to the south; they instead passed that role on to the Ghadamisi merchants. Thus the Tripoli merchants assumed charge of supplying the Ghadamisi merchants with European goods, to transfer them to the market centres in the west central Africa for partnership or a proportion of profits or deferred payment commercial deals in interest of the Ghadamisi merchants. They managed to possess commercial houses in Kano that numbered between 60 and 180 houses in 1897.<sup>20</sup>

It can be said that the high levels of trust the merchants of Ghadames enjoyed were due to several characteristics. First of all was their commercial reputation, which enabled them to obtain the trust of those they dealt with. Rohlfs confirmed this by stating that:

They are reliable, trustworthy, and honest and keep their promise. This made foreign merchants (European and Jewish) provide the Ghadamisi clients goods worth thousands and it had never occurred that a Ghadamisi broke a promise or conventions.<sup>21</sup>

The second characteristic was that the merchants had good relationships with the rulers and princes of sub-Saharan regions.<sup>22</sup> The third characteristic was that the Ghadamisi merchants had good relations with the Tuareq of Azqer and Kel Owi who

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<sup>18</sup> Muhammad al-Hasha'ishi, *Jala' al-Karab 'an Tarabuls al-Gharb* (Beirut: Dar Lebanon, 1965), p.127.

<sup>19</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.181; Johnson, 'Calico Caravans', pp.109-110.

<sup>20</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 95-117, 182.

<sup>21</sup> Rohlfs, *Rihla 'Bra Africa*, p. 198.

<sup>22</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 182, 728.

respectively controlled the route between Ghadames and Ghat, and between Ghat and Air. Through presents and tariffs the merchants paid for passing the land of Tuareq and Kel Owi, which provided protection to the merchants caravans from bandits in the first half of the nineteenth century.<sup>23</sup>

The significant commercial activity of the merchants of Ghadames enabled them to monopolise the desert trade until the Ottoman Empire dominated the south of the province in 1843, which encouraged other merchants (Arabs, Jews, Turkish) to compete with the merchants of Ghadames. Despite these new challenges, the Ghadamisi managed to operate in commercial locations in several zones, locally and regionally. Marwan provides documents supporting the assumption that merchants of Ghadames were prominent in commercial centres in Tripoli, Tunis and Cairo; in fact, their trading stretched east to Mecca, as well as to cities of the desert, such as Wadi Soaf, ‘Ayn Salah, Twat, Ghat, Murzuq and Jghbub, and south to Kano, Timbuktu, Adghagh, Aghzer, Arawan, Zinder and Damergu.<sup>24</sup>

The Ghadamisi’s approach to work was to involve the males of the family (brothers and cousins) to work as merchants or as representatives in the commercial centres.<sup>25</sup> Slaves also participated as commercial agents, caravan attendants or salesmen in the market. As a result there was highly structured and powerful patronage system, which in turn provided more opportunities to slaves. Family networks turned into small organisations, known as the commercial house that partnered with other commercial houses to form and achieve a highly integrated economy. Merchants in other centres facilitated and helped with caravan deliveries and marketed the stocks with good turnovers. The most famous Ghadamisi families that founded large commercial houses were those of the al-Thani, al-Man‘, Harun, Hayba, Hiyda, Bamtida, and al-Katli families. Their commercial activities stretched

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<sup>23</sup> Bovill, *Caravan of the Old Sahara*, pp. 250-251; Boahen, *Britain, The Sahara and the Western Sudan*, p. 108.

<sup>24</sup> Jack Beeton, *al-Msa’la al-Libiya fi Taswiyt al-Salam*, trans. by ‘Ali Dawi (Tripoli: Markaz Jihad al-Libiyin, 1991), pp. 39-40; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima’iya wa al-Thaqafiya*, pp.183-184.

<sup>25</sup> Khulad al-Ghalali, ‘Ghadames wa Tijara al-Qawafil Tiwal al-Qarn al-Tasi’ ‘Ashar’ (unpublished master thesis, Tripoli University, 2004), p. 39; Khadija Ba’li, ‘Tariqat Taqwim Tijara al-Qawafil’, *Majalat al-Buhuth al-Tarikhiya*, 1 (1988), p.97. Cf. Lydon, *on Trans-Saharan Trails*, p. 343.

broadly from Tripoli and Tunis to Kano, Ghat, Murzuq and Zinder; they also had areas in these centres, where they lived for years and years.<sup>26</sup>

Travel accounts and Ghadames documents show a range of engagement in trans-Saharan commerce in North Africa and Sudan. For instance, a commercial correspondence dated 1908 states that the number of merchants of Ghadames during the historical peak years of the city mid-nineteenth century exceeded 200, with a total sum of wealth worth 50000 Turkish *qrish*.<sup>27</sup> Their wealth gave them power and turned them into the elites of the city. They had a good relationship with the Ottoman-Qaramanli rulers, as well as eminent families in other centres like Tunis, Timbuktu, and Kanem, Bornu, Sokoto ‘Ayn al-Faras and Zindart.<sup>28</sup> Al-Hash’ishi listed (see table two) 161 merchants of Ghadames settled in different regions whom he met during his trip to Sudan (1896-1897).<sup>29</sup>

**Table: Two**

Name of City	Number of Merchants	Name of City	Number of Merchants
Bornu	6	Murzuq	2
Chad	2	Damergu	6
Zinder	6	Kano	18
Bushyah	4	Nube	3
Wadai	1	Zaria	3
Ghat	24	Timbuktu	6
Kanem	2	Sokoto	4
Tripoli	37	Tunis	37

In addition, by using Ghadames documents, Marwan mentioned a number of families who founded commercial networks between Ghadames and Tunis, Tripoli,

<sup>26</sup> Ba‘li, ‘Tariqat Taqwim Tijara al-Qawafil’, p.101; al-Ghalali, ‘Ghadames wa Tijara al-Qawafil’, p. 39.

<sup>27</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, doc. no.20, pp. 53-54.

<sup>28</sup> al-Ghalali, ‘Ghadames wa Tjara al-Qawafil’, p.38.

<sup>29</sup> Al-Hasha’ishi, *Jala’ al-Karab ‘an Tarabuls al-Gharb*, p. 188.

Ghat and Kano, such as the Ahmad al-Thani family. Correspondence between Ahmad ibn-Muhammad al-Thani and the brokers who worked for him in different areas reveals a dense commercial network in operation during the first half of the nineteenth century. Thus Ahmad al-Thani was in charge in Tripoli, his son al-Bashir was in Twat and ‘Ayn Salah, while his son Abubakr was in charge of the family trade in Timbuktu. Also, his son Matida with his cousin were in Ghat, his two slaves Abandi and Abuqabri were in Kano, and his son Emehmed was the supervisor of that network.<sup>30</sup> Documents also show that he participated in international networks, as he took part in the Paris International Trade Fair in 1867, displaying ivory and *klabu* skins, which gained the highest praise compared to other participants at that exhibition from Tripoli, Ghadames, Fezzan and Warfalla.<sup>31</sup>

There were three main routes used by the merchants of Ghadames and Tripoli to get to the south across the Sahara (see map one): the Bornu route, which stretches from Tripoli, through Murzuq, Tagerhi, and Balma to Kuka and Bornu; the Wadai route, which ran from Tripoli to Benghazi, then along the sea until the caravans congregated in Benghazi, then onto Awjila, Jalu, al-Kufra Tibisti and Wadai;<sup>32</sup> and the Kano route, which ran from Tripoli to Ghadames, and connected to Ghat, al-Air, Zinder and Kano. This third route was completely monopolized by the merchants of Ghadames.<sup>33</sup>

The reasons behind the demise of Ghadames trade can be traced back to documents dated 1905, 1908 and 1909 that include complaints made by the merchants of Ghadames before the government of Tripoli. The government sent the letters to the French Ministry of Foreign Affairs to investigate the issue. The occupation of Timbuktu by the French, and Kano by the British, caused the merchants to lose a source of trade upon which they had relied for centuries. Taking over Timbuktu and Kano resulted in conflicts between the locals, which made it impossible for the caravans to travel in safety. Moreover, France increased pressure on the merchants by imposing high tariffs on goods transferred by caravans, which

<sup>30</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, p.186.

<sup>31</sup> *klabu* is a cow or buffalo leather which was used for wrapping goods and furnishing to eat, also it was used as a container to take out water from the well. Yusha‘, *Watha’iq Ghadames*, vol. 2, doc. no. 5, p. 45; al-Fituri, *Libya wa Tijara al-Qawafil*, doc. no.16, p.48.

<sup>32</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, pp. 370-373.

<sup>33</sup> Bovill, *Caravan of the Old Sahara*, p. 250; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, pp. 373-375; Stephen Baier: *An Economic History of Central Niger*, (Oxford: Clarendon Press, 1980), p. 58.

the merchants could not afford. These measures finally resulted in destroying the caravan trade.<sup>34</sup> The official complaint made by the merchants of Ghadames before the Ministry of the Interior in Tripoli shows the deterioration in the position and state of the merchants of Ghadames and their trade in Timbuktu and Kano: these complaints described the catastrophic slowing down of their trade as a result of Europeans procuring goods direct from the source. By the beginning of the twentieth century, Ghadames' economy declined and many of its merchants declared bankruptcy, as goods managed to get to Africa via new routes that were easier to navigate and more reasonably priced.<sup>35</sup>

## **1.2 Historiography of the Caravan Trade**

The history of the trans-Saharan caravan trade has been essential to the historiographies of North Africa. In his 1933 book *Caravans of the Old Sahara*, Bovill draws on the tales of travellers such as Barth and El Bekri, amongst others, to provide an overview of the caravan trade over a long time span. He stresses the importance of the three ancient trade routes which, during the early part of the nineteenth century, crossed the Sahara desert, connecting the western Sudan with North Africa: in the center, the Ghadames-Air road to Hausaland; in the west, the Timbuktu-Taghaza road; and in the east, the Fezzan-Kawar road, which led to Bornu. In his book, Bovill briefly mentions the commodities which were traded by means of these routes, including slaves. The decline of these routes, he argues, was largely related to the abolition of slavery, combined with political unrest. However, more importantly, competition arrived in the form of sea-borne trade. The trade of the ancient desert highways was drastically reduced due to the transportation of principal commodities, including gold, ivory and ostrich feather from the coast of Guinea to the northern markets via sea routes which were safer and cheaper, as well as the existence of European salt in the Sudanese market.<sup>36</sup>

In *The Golden Trade of the Moors*, Bovill draws on similar sources to write about slave trade.<sup>37</sup> He states that, prior to the mid-nineteenth century, black slaves

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<sup>34</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, doc. no. 20, pp. 53-54, 62-64.

<sup>35</sup> Ibid, doc. no.20, pp. 53-54

<sup>36</sup> Bovill, *Caravans of the Old Sahara*, pp. 246-259.

<sup>37</sup> Bovill, *The Golden Trade of the Moors*.



inhabiting the seafaring countries of North Africa had been in great demand. Although a great many slaves were sent to Turkey and Egypt, some slaves were essential to meet local demand. Mustafa ‘Abdullah Ba‘iyu, the Libyan historian, argues that this information inclines readers to believe that slaves were furnished to the local North African market. However, the majority were exported to Egypt and Turkey. The number of slaves involved in the North African trade was minimal. Indeed, Bovill, in his first book, had written of the flourishing slave trade that had found its way into European markets, where the Italian cities of Genoa and Pisa were thriving centers of slave trading.<sup>38</sup>

From the second half of the twentieth century, scholars have used different sources (such as colonial sources) to advance Bovill’s broad chronologies to focus on the study of trans-Saharan caravan trade in the nineteenth century. They have looked at the dynamics of the caravan trade, and how the trade was influenced by different factors over time. In 1964, A. Abu Boahen wrote a book detailing Britain’s entry into the Western Sahara, with the initial intention of trading with the Sudanese, and ultimately resulting in their attempts to bring an end to slave trading in Niger and Senegal.<sup>39</sup> Boahen based his research on material gained from the National Archives in Britain, such as correspondence between the government and explorers, and also between consular agents in North Africa and the Foreign Office. He was able to offer information of interest relating to early and mid-nineteenth-century commerce and conditions, further adding to the reasons for the decline of the caravan trade. Boahen states that, the volume of trade had decreased by the mid-nineteenth century. He asserted that the reduction was due to different factors including: the conquest of Algeria by France; commercial competition between Niger and Senegal; political instability in the area of Timbuktu after the fall of the Songhai; the nineteenth century wars in Fezzan, Bornu and Agades; and the abolition of slave trade.<sup>40</sup>

On the other hand, a different perspective was developed in Colin Newbury’s 1966 article, “North Africa and the Western Sudan in the Nineteenth Century.” Newbury posits that Boahen’s focus was on Britain’s dealings with the Sudan and

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<sup>38</sup> Mustafa ‘Abdullah Ba‘iyu, *al-Mukhtar fi Maraj’ Tarikh Libya*, Vol.1 (Benghazi: Dar Libya lil-Nashir wa al-Twziy’, 1967) p. 43.

<sup>39</sup> Boahen, *Britain, the Sahara and the Western Sudan 1788-1861*.

<sup>40</sup> Boahen, ‘The Caravan Trade in the Nineteenth Century’, 349-359.

the Sahara, while failing to pay attention to French records on the weakening of commerce in the Saharan region. He ignored in his conclusion information which he could have gleaned from the French archives, apropos the decline of trans-Saharan trading. Newbury's article is, however, supported by the 1850 and 1860 French diplomatic and geographical mission's data and figures. Consulate records from Morocco and Tripoli also connect North African countries with the western Sudan when referring to trading caravans.<sup>41</sup>

Newbury also made use of the Mircher report (1862) when referring to the city of Ghadames, one of the areas covered in this thesis. This report was believed to be the most precise assessment of the import and export trade with the Hausa states, Timbuktu, and Tripoli. The Ghadames mission, as with the consulates of Tripoli and Mogador, implied that the trade was increasing rather than declining both in volume and in value. Newbury concluded that this increase in trade during the nineteenth century between the western Sudan and North Africa had in fact preceded colonization.<sup>42</sup> Evidence from the consulates of Morocco and Tripoli, gleaned by the French diplomatic and geographical missions of 1850 and 1860, recorded that Europeans imported goods by means of the desert caravan routes, exporting ostrich plumes, ivory, and gold dust, as well as items of lesser value. In 1875, an estimated £1,500,000 million was traded, thus the year was described as the most profitable of this period. The disruption and decline of the trade market after 1875 was due to the political conquest of the Western Sudan and the recession of the European markets.<sup>43</sup>

Marion Johnson propounded a similar view in an article in 1976, where it was argued that there was no decrease in the caravan trade, and that it continued until 1907, after which Trans-Saharan trade declined. According to Johnson:

It was not until about 1907 that any considerable quantities came from the south and in the first place mainly by parcel post. The desert caravan to Kano, unlike those to Timbuktu and Bornu disrupted by invasions of the French and Rabeh, continued to function with few interruptions well into this century.<sup>44</sup>

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<sup>41</sup> Newbury, 'North Africa', p.246.

<sup>42</sup> Ibid, pp. 236-237.

<sup>43</sup> Ibid, pp. 245-246.

<sup>44</sup> Johnson, 'Calico Caravans', p. 97.

Stephen Baier wrote an article in 1977 on the demise of the caravan trade, followed by *An Economic History of Central Niger* in 1980. This first article, 'Trans-Saharan Trade and the Sahel: Damergu between 1879-1930', concentrates on the Sahelian region situated on the Tripoli-Kano route, specifically Damergu a region of the Sahel which was incorporated into Niger. By examining economic documents for the trans-Saharan traders, French colonial administrative documents from the Niger, British consul reports, and verbal interviews in the Ghadames, Baier demonstrates that commercial trade across the Sahara had closed by 1911, once sea transport from Europe to Lagos, and a rail service from Lagos to Kano, had been installed. Although the volume of trade had declined between other countries and Damergu, once trans-Saharan trade had ended, the Sahel in Nigeria was producing livestock and grain, in a show of economic growth. This allowed trade between regions to expand.<sup>45</sup> Baier gives an account of the economic history of central Niger in his 1980 book on Damergu; there was a period of rapid increase in the trade of livestock once rail transport had ousted the caravans, leaving the southern routes to take over from the northern routes.<sup>46</sup> Baier stated that evidence from the central Sudan and Tripoli shows that post-1900 there was a rapid drop in trans-Saharan trading. Thereafter, North African traders of the Sudan had to make a further adjustment once the colonists had occupied the country. The Benghazi route, being further east, remained stable for much longer until 1913.<sup>47</sup>

Similarly, Ulrich Haarman derived much content from Bashir Yusha's edition of documents collected on the Ghadames, of which he examined 150. He stated that Ghadamisi traders, after adroitly contriving to adapt to the world market as it changed (circa 1855), attempted to compensate for the death of the slave trade by trading in ostrich feathers and ivory. Haarmann concluded that for many hundreds of years Ghadamisi traders had cleverly augmented their own assets; however, in attempting to maintain their personal trading deals, they had forsaken their established standards and morals when making political compromises.<sup>48</sup>

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<sup>45</sup> Baier Stephen, 'Trans-Saharan Trade and the Sahel: Damergu, 1870- 1930', *Journal of African History*, 1 (1977), pp. 37-40, 60.

<sup>46</sup> Baier: *An Economic History of Central Niger*, p. 2.

<sup>47</sup> Ibid, p.79.

<sup>48</sup> Ulrich, 'The Death Ostrich Life and Trade in Ghadames', p.80.

From 1979 onwards, scholars such as Austen, Lovejoy and Wright became increasingly focused on quantitative history, in particular the total number of slaves. Austen's pioneering study of 1979 presents an original attempt at reconstructing the quantitative factors of trans-Saharan slave movements. He used Arabic sources such as ibn Battuta and al-Idrisi to reconstruct conditions in the pre-eighteenth century period; post-eighteenth century, he turned to Western sources such as diplomatic dispatches, council reports and eye-witness accounts of both merchants and travellers.<sup>49</sup> Austen remarked on the Libyan trans-Saharan slave trade that this region had received a huge influx of slaves, despite being a desert country with few opportunities for accepting new incomers. Slaves proceeded diagonally either to Egypt or Tunisia, having entered in the early to mid-nineteenth century by the way of the Libyan desert, the side cities of Murzuq, Ghadames, Kufra and Ghat. Many of the slaves who entered the port of Benghazi and Tripoli in the north continued their journey by sea to points further east.

In the nineteenth century, British consuls and explorers, French Algerian colonial officials and European observers (Richardson, Lyon, Nachtigal and Rohlfs) collectively assembled the relatively extensive data offered here. They had often entered Cyrenaica, Fezzan, and Tripolitania directly for this purpose. Austen stated that one can only speculate on the reliability of the statistics at hand; it is difficult to calculate exactly because slaves could come into Libya by many entry points both north and south. It would be reasonably accurate to calculate that roughly 1000 slaves entered Libya annually during the seventeenth century. By the eighteenth century, a reasonable average for all years until 1870 would be 4000 per annum; thereafter the slave trade became restricted, leading to the decline in slave trade numbers. The most used route was Cyrenaica, in which 1000 slaves a year were traded until 1900; however, just a few hundred slaves passed through Tripolitania and Fezzan until 1890.<sup>50</sup>

Lovejoy assesses this data in his 1985 article, which includes an analysis of the trans-Saharan trade in Bornu and Sokoto Caliphate the two most important exports of tanned skins, ostrich feathers, and ivory. He studied the route from Tripoli through Ghadames and Ghat to Agades, Kano and Zinder and other cities in the

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<sup>49</sup> Austen, 'Trans-Saharan Slave Trade', pp. 23-76

<sup>50</sup> Ibid, pp.36-37.

central Sudan. He concurred with Austen that, prior to 1879, trading in slaves was worth far more than skins, feathers or ivory. He did, however, maintain that Austen's assessments would carry more validity, although not so much for Libyan trade in general, but more specifically for validating the size of sub-Saharan trade with Tripoli, excluding Benghazi. In 1870, imports of slaves were mainly from Bornu and the Sokoto Caliphate. Austen seems to have underestimated the numbers of slaves transported for trading purposes over the last thirty years of the century. Lovejoy obtained his data from the works of Dennis Cordell. He also used the accounts of Austen for the Tripoli-central Sudan route. He believed that a possible 3000 to 6000 slaves annually were transported through North Africa between 1810 and 1830. Between 1830 and 1870, the average increased to 4,000-8,000 slaves per year, but by the 1870s the trade appears to have declined dramatically to 1,000 to 3,000 slaves annually. By the 1880s, the total number of slaves had declined to 1,000 per annum.<sup>51</sup>

However, all these historical statistical estimates provide data about the Saharan slave trade as a whole, and do not fully cover the trans-Libyan slave trade. John Wright was exceptional (as explained in the introduction) on the subject of Ghadames; he relied on consular reports in which he stated that merchants lost their significance once the slave trade had ended, as slaves were considered the most important commodity traded on the trans-Saharan route through Libya.<sup>52</sup> Wright used consular reports, such as those of Robert Traill (1789), a British consul in Tunis, to present dates on slave-trading, including the slave market of the eighteenth century until its peak in the 1840s. He reported that the Ghadames trade started with between 12,000 to 13,000 slaves. The slaves were transported through Tuareg in five or six separate caravans, with thousands of women amongst them exported to Tunisia. This dynamic further highlights the trade in black slaves in Ghadames. For a long time, the city was a major centre for the slave trade. However, trade declined from 1850 onwards into the late-nineteenth century, mainly due to the occupation of North Algeria by France in the 1830s, and the eradication of slave trade in Tunisia between 1841 and 1846, thus leading to a disorganised and unprotected Southern Tunisia and the discouragement of slave trade in Tripoli under Ottoman leadership

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<sup>51</sup> Lovejoy, 'Commercial Sectors', pp. 88-89.

<sup>52</sup> For a more detailed discussion, see: introduction chapter.

after the late 1850s. James Richardson was reported to have stated in 1850 that the capital used for slave trade by merchants of Ghadames reduced from two-thirds to a quarter, a consequence of the closure of Tunisian slave trade market. Furthermore, concerns about the eradication of slave trade were shown by Charles Dickson, the British vice-consul in Ghadames between 1848 to 1854. Ghadames was forced to pay substantial Turkish taxes in 1850, as a result of which many families fled to Sudan, Ghat and Tunisia. Since the abolition of the Tunisian slave trade, Ghadames had been particularly affected, with numbers of slaves diminishing by 50%. Dickson, in his August 1850 report to consul Crowe, mentions that about 400 slaves had then been imported into Ghadames annually. Dickson also states that factors other than the abolition of slavery played a part in the late-nineteenth century crisis of the Saharan trade, such as the diverting of traditional commodities onto the newly operational colonial railways.<sup>53</sup>

In contrast, Ahmida and Marwan – both of whom also discussed the importance of the slave trade in Libya – have questioned the appropriateness of using evidence from foreign consuls and Western travellers in estimating the size of the slave trade in Libya.<sup>54</sup> Libyan scholars largely agree that slaves were a desirable trading commodity chiefly because they could be used in different ways. First, traders benefited from their value as a commodity. Secondly, rich or ruling local families purchased slaves to be used as servants, or domestic slaves and concubines.<sup>55</sup> In 1998, Ahmida stated that slave trading existed in most of societies. Libya was one of many countries which dealt in the slave trade; however, the figures of slaves cited by the consuls and travellers were exaggerated. Ahmida declared that the recently-published documents of the Bashir Yusha' merchant family in Ghadames shed new light on the Saharan trade. According to the information in those documents, the caravan trade was not, as European consuls reported, in gold and slaves only, but also in other goods; ostrich feathers, wax and leather were exported from Bilad al-Sudan, while English cotton clothing, glass, paper, tea, weapons and sugar were imported from British manufacturers. Nonetheless, European travellers and consuls emphasized the prominence of the slave trade, since

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<sup>53</sup> Wright, *the Trance-Saharan Slave Trade*, pp.90-93.

<sup>54</sup> Ahmida, *al-Mujtama' wa al-Ist'mar*, p. 60; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, pp. 293-295.

<sup>55</sup> Ba'iyu, *Dirasat fi al-Tarikh al-Libi*, p.186; *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, p. 302; Ahmida, *al-Mujtama' wa al-Ist'mar*, p. 46.

it was an ideological tool used by the Europeans to discredit Ottoman rule and justify colonial ambition. The traveller Lyon estimated that in 1819 around 3,000 slaves arrived in Tripoli, and a further 1000 slaves in Benghazi. Claiborn and Dunham, travellers who visited Tripoli in 1824, estimated under 2,000 slaves were traded, while in 1850 the French consul De Raynaud claimed that 2,708 slaves were brought in from Sudan.<sup>56</sup>

Ahmida argues that the act of inflating the size of the slave trade in Libya created enough political hostility to justify colonial expansion in Sudan. To give a clear picture of the caravan trade in Libya, Ahmida has suggested studying family records, such as those of the Yusha' merchant family, and the book of Muhammad ibn Ghalbun, who lived in Tripoli and knew what was occurring outside the city in this period. Ahmida argues that these were more credible sources than consuls and foreign travellers.<sup>57</sup> In this approach, Ahmida was supported by Muhammad 'Umar Marwan, who used local business documents to show that slaves were not independent from other trade commodities, and that the slave trade relied upon the demand and supply of other commodities. Sometimes only one slave was included in ten convoys of commodities, while at other times the slaves were held in larger numbers. The quantity of slaves was subject to the principle of supply and demand. The proportion of overall trade made up by slaves calculated by these methods is small, certainly when compared to the numbers given by the consuls, travellers and foreign writers.<sup>58</sup>

Many aspects of arguments Marwan and Ahimda develop are well taken, most particularly in their scepticism of contemporary European rhetoric about the primacy of the slave trade. Too often, however, scepticism becomes denial, as scholars minimize the scale and the scope of slave trade. In order to understand the commercial and cultural logic of the slave trade, this thesis attempts to reconstruct traders' concepts of slaves as a unique species of commodity. Traders sold slaves as one commodity, fungible with others; but they also recognised slaves as human

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<sup>56</sup> Ahmida, *al-Mujtama' wa al-Ist'mar*, pp. 59-60.

<sup>57</sup> Muhammad ibn Ghalbun, *al-Tidhkar fi man Malak Tarabulus wa-Makana biha min al-'Akhbar* (Tripoli: Maktabat al-Nur, 1967); Ahmida, *al-Mujtama' wa al-Ist'mar*, p. 60. For a similar view, see: Lydon, *on Trans-Saharan Trails*, p.123; Ghislaine Lydon, 'Writing Trans-Saharan History: Methods, Sources and Interpretations across the African Divide', *Journal of North African Studies*, 10 (2005), p. 298.

<sup>58</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 29, 307-310.

beings, at least to some extent. This dissertation takes seriously the economic, social, and cultural history of slaves as commodities, uncovering their place within a much broader system of long-distance trade. My argument is not that slavery is relatively unimportant, but rather that it is imperative to understand traders' view of slaves as not intrinsically different from other commodities. Given the current state of research, the point is somewhat speculative; we lack a definitive inventory of all commodities transported across the Sahara, and thus the absolute proportion of slaves vis-à-vis other commodities is inferential at best. However, available documentation provides a wealth of evidence of how traders understood the people and objects they owned. In commercial correspondence, merchants declared interest in, for example, ivory or feathers, noting they would like to receive slaves if their preferred goods were unavailable. The caravan trade was conducted by people who understood their actions according to familiar economic principles of supply and demand. These merchants viewed slaves as interchangeable with other goods. This interpretation does not imply Libya and Libyans were uninterested in slaves, nor does it condone the sensationalistic accounts of Europeans determined to uncover Oriental savagery.

Consular records are useful but not because they are objective truth. A nuanced account can only be achieved by using all the available sources critically. Marwan and Ahmida discount them inappropriately; in this way to some extent they exonerate Libya of its responsibilities for slavery. Indeed, consular records can provide valuable information if read carefully and critically. Only by combining and cross-referencing several kinds of sources, including the Ghadames documents and oral interviews, can we attain a balanced and rich picture of events.<sup>59</sup>

Ghislaine Lydon studies the nineteenth-century trans-Saharan trade, directing her studies to the market town of Guelmim and the Wad Nun regional trade network. She focuses on new sources such as interviews with retired caravanners, commercial contracts and fatwas. In her chapter, 'Markets and the Movement of Caravans: Nineteenth-Century Developments', Lydon stated that there is a lack of understanding of the slaving business apropos propagate the nineteenth century internal African demand for slaves. Scholars have studied the trans-Saharan slave trade, relying on nineteenth century European sources; however, a more intensive

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<sup>59</sup> For a similar view, see: Lydon, *on Trans-Saharan Trails*, p. 14.



examination of the extent of the historical records is required for precise answers to be offered on the issue of the trans-Saharan slave trade, namely African sources written in Arabic.<sup>60</sup> The sources used by Lydon to study the Wad Nun regional trade network can be replicated in the Libyan case-study covered in this thesis.<sup>61</sup> These sources have not yet been used with this purpose in mind, and may therefore provide previously unknown data concerning the social and economic history of the caravan trade. By linking social and economic history, this chapter goes beyond the existing secondary literature to explore how economic relationships of the caravan trade shaped the everyday experience of slavery.

### **1.3 Correspondence and Commerce**

Earlier studies have focused too narrowly on the slave trade itself, without understanding it in the context of the wider society, economy and religious belief. Undoubtedly, any analysis of the slave trade that takes into account its social context is thus an innovative approach that will shed a new light on what role the slave trade (and its abolition) had in Libyan history.

This section uses commercial documents drawn from the family archives of Ghadames, such as those of the al-Katli, al-Thani, al-Man‘, Aq, Bamtida and Hiyda families. These letters, the majority of which were sent from merchants of Ghadames to the trader Muhammad Saghiar Hiyda, who lived in Kano, show the experiences of specific families’ work in the caravan trade. They indicate issues of customs, transportation, trade and the abolition of slave trade. They tell about the social history of the caravan trade, most importantly that the slave trade did not end at a specific time but persisted for a long time after its official abolition. Indeed, it only disappeared when the caravan trade collapsed in 1907 after cheaper and more convenient communication lines to the Gulf of Guinea were opened by the colonial powers. They confirm that the phasing out of the caravan trade was a gradual

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<sup>60</sup> Lydon, *on Trans-Saharan Trails*, pp. 121-122.

<sup>61</sup> For other scholars who used similar set of sources, such as oral interviews and local archives to study trans-Saharan trade, see: Judith Scheele, ‘Traders, Saints, and Irrigation: Reflection on Saharan Connectivity’, *Journal of African History*, 51 (2010) pp. 281-300; Cynthia Becker, ‘We are Real Slaves, Real Ismkhan’: Memories of the Trans-Saharan Slave Trade in the Tafilalet of South-Eastern Morocco’, *Journal of North African Studies*, 7 (1997), pp.97-121. Steven Pierce. *Farmers and the State in Colonial Kano: Land Tenure and the Legal Imagination* (Indiana University Press, 2005).

process, due to three reasons. First, across the nineteenth century the transportation of women became more expensive and problematic for traders. This, in effect, led to the decline of the entire slave trade. A change also occurred in the thinking of many traders at this time. Female slaves were increasingly viewed differently by the traders involved in the caravan trade; they thought of female slaves as human beings unlike feathers ivory or gold. They remained valuable goods, but there was also some humanitarian considerations of their existence and experience that increasingly determined traders' practices and thus their expenses. Secondly, because caravan traders more generally understood slaves as being one commodity among many, they did not perceive the caravan trade as changing as a whole, even as slaves became a small percentage of the overall goods, and thus they did not perceive a major change until the end of the nineteenth century and early-twenty century as the caravan trade ultimately declined itself. Thirdly, there was a long-term shift in the relationship of patronage between the caravan trade and manumitted slave. This final point has important implications for academics seeking to uncover the experiential history of slaves and the wider social history of the caravan trade, as (as evidenced in this thesis) the relationship between master and ex-slave was a complex one which, in many ways, shaped customs and power dynamics in Libya during this period.

In commercial correspondence from Ghadames, slaves are mentioned alongside the other commodities that were sent north from Sub-Saharan Africa, such as ivory, ostrich feathers, and leather. Whether male or female, an individual slave as a commodity was not itemised and described in detail, unless he/she had been specifically ordered in to work as a household servant or provide manpower on farms. Such is the case of a female slave, mentioned in a letter dated 1292/1874, who was bought by Ya'qub, a former slave of Muhammad al-Man', and sent under the care of Tuareq to Muhammad ibn Salim ibn 'Ali. Ya'qub wrote that, due to illness, the female slave had been judged not in a condition to make the journey on foot: therefore, a camel had been rented as her transport for the journey until she arrived at Ghat. The final cost, including the slave's purchase price, food, clothes and the camel, amounted to forty *duro*.<sup>62</sup> Ya'qub asked to keep her in his custody until she

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<sup>62</sup> It is not clear which currency the letter refers to.

was better, assuring Muhammad ibn Salim ibn ‘Ali that he would look after her well.<sup>63</sup>

The writer of this document omits several pieces of information, such as how the female slave had become ill, and what happened to her; whether a female slave’s price varied according to her health status, and whether she was kept in custody until she recovered from her illness. Despite all these gaps, there are various intriguing indications about the trade in slaves; most interesting is the fact that this slave was being traded almost eighteen years after the slave trade had supposedly been abolished in 1856. One may therefore assume, in agreement with Marwan’s reconstruction, that trading in slaves continued in Ghadames until 1900, a long time after the prohibition of the slave trade in Libya.<sup>64</sup> The slave trade survived in Ghadames for many reasons, one of which is that Ghadames is located far away from the capital, and thus hard to govern. Therefore it could be assumed that slave trade persisted long after its abolition, probably until the caravan trade collapsed in 1930.

Moreover, this commercial correspondence relates the experience of an ill female slave who was kept in the custody of one of the persons involved in the trade. Thus, it illustrates the social interaction that existed based on the circumstance. On the basis of this document, it is possible to assume that other female slaves would have been transported in similar conditions, showing how masters humanely treated the slaves they had purchased if they fell ill: she might become ill after he bought her, otherwise he could return her to the seller.

Another letter dated 1272/1845 tells us the history of a woman from the north called Sansir, who was sent by two brothers, al-Hasi and al-Sunusi, the sons of Ahmad al-Hasi al-Ansari to al-Hajj Muhammad Aq Ahmad. She had been transported in the care of Aknar.<sup>65</sup> The author stated that she was to be sold and the money was returned to the messenger who carried the letter.<sup>66</sup> We do not know what Sansir’s fate was, since the letter does not mention how quickly she was sold or what

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<sup>63</sup> MLMDT (G), Collection of al-Man‘ Family, doc. no. 1038.

<sup>64</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, p. 335. Cf. Becker, who argued that trading in slaves in Morocco continued there until the final French occupation in 1932. Cynthia Becker, ‘We are Real Slaves’, p. 98.

<sup>65</sup> The letter does not give data about Aknar, but I assume he was a slave, otherwise it should be stated in the document information about his family.

<sup>66</sup> MLMDT (G), Collection of Aq Family, doc.no. 140.

happened to her. However, her experiences are representative of many other women slaves who were transported in similar conditions.

The same terms appear to have been applied to male slaves: they were ordered in small numbers, and sometimes the buyer gave detailed specifications that had to be met, for example concerning the slave's age and that the merchant had to secure the best price. For example, in 1271/1854 the Ghadamisi merchant Muhammad ibn al-Hajj Muhammad ibn Bilqasim sent a letter to Muhammad ibn al-Hajj Ahmad Hiyda, informing him of the arrival of a load of ivory and of a male slave, an enterprise in which they were partners. The writer stated that he could not sell the slave as 'he had diarrhoea, and he ended the letter asking his partner to send him a male black slave called (*saba'*). It seems likely that the reason behind the sender's specific desire for a black slave reflects the greater demand for black slaves, and as such (*saba'*) would have sold more easily and readily unless he had been specifically ordered in order to provide manpower on farms.<sup>67</sup> This letter does not give information on several aspects of this transaction, such as the location of the recipient of the letter, what the fate of the first male slave was, and whether or not he recovered from his illness. However, from another letter written in 1273/1856 by the same merchant to the same recipient Muhammad ibn al-Hajj Ahmad Hiyda we understand that at that time the latter lived in Kano.<sup>68</sup> This information is confirmed and expanded by an interview I conducted in Ghadames, which listed a number of famous Ghadamisi families who had settled in commercial cities in Sudan and North Africa. According to the list provided by the interviewee, Muhammad Hiyda was one of the most important Ghadamisi traders to live in and operate from Kano.<sup>69</sup> However, if Muhammad Hiyda really was a major slave trader, it is peculiar that in the letter of 1854 he appeared as being only one of the two partners involved in a transaction that consisted of at most two slaves. This relatively low number contrasts with the assumption that major slave traders dealt with much larger number of slaves. This is even more striking when the date of the letter is considered: at that time (1854), the trade in slaves was still a legal activity in Libya, but this source shows that even then slaves were ordered and traded in rather small numbers. In other words, Muhammad Hiyda's family might have been a major slave trader, but

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<sup>67</sup> MLMDT (G), Collection of Hiyda Family, doc.no.19.

<sup>68</sup> Yusha', *Watha'iq Ghadames*, vol.2, doc.no.5. pp. 42-47.

<sup>69</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

the letter suggests that he was only a partner in one small trade. Could the relatively small proportion of the slave trade business in Hiyda's case be the norm? We might lean towards responding in the affirmative, if one listens to the following proverbs that were common in Ghadames: "Three men will never be rich: the slave seller, the tree cutter, or the stone burner", and "There is no good in their trade, in life or the hereafter".<sup>70</sup>

The documents show the commercial thinking of slave trade and reveal how traders see slaves as not intrinsically different from other goods. It seems the demand for female slaves was higher than that of males, since female slaves were sold for a higher price, perhaps, because they carried out skilled domestic labour or were bought to live as concubines. It is evident from the documents that the number of slaves brought to the north was not significant. This contradicts travel reports suggesting that huge numbers of slaves flowed to Tripoli from the South each year, or were brought in each caravan to centres in the desert like Ghadames, Ghat and Murzuq. In fact, the number of slaves was connected with other goods, such as ivory, which sometimes seemed to be more profitable to the merchants.

In 1286/1869, the sons of Muhammad Saghiar Hiyda from Ghadames sent a letter to their father, informing him that a female slave was being sold in Suf.<sup>71</sup> Although the location of the recipient of the letter is unknown, it is assumed, as stated before, that Muhammad Saghiar Hiyda lived in Kano. The information also included the quantity and prices of commodities sold in the Tripoli. Although it was impossible to ascertain what currency was being used for the transaction, the ivory and slaves got the highest price, with ivory being the most profitable good, followed by the slaves.<sup>72</sup> Thus slaves, like any other goods, were subject to the laws of supply and demand. Other documents also suggest that trading in slaves varied according to the needs of the market. In 1852, Muhammad ibn Muhammad ibn 'Amar Bubakir sent a letter to Muhammad Saghiar Hiyda, in which he requested one *himl* of silk which he found difficult to obtain in Tripoli. The correspondent also informed Muhammad Saghiar Hiyda about the stock exchange in Tripoli, regarding slaves and ivory being sold there. On the subject of trading in slaves, he advised him to buy

<sup>70</sup> Bashir Qasim Yusha', *Madina Ghadames 'Bra al-'Usur* (Tripoli: al-Markaz al-Libi lil-Mahfuzat wa al Dirasat al-Tarikiya, 2011), p.54.

<sup>71</sup> Suf, a city in Algeria and one of the cities that merchants of Ghadames traded with.

<sup>72</sup> MLMDT (G), Collection of Hiyda Family, doc. no. 8.

young female slaves, as opposed to males and old females.<sup>73</sup> The correspondent focused on the commodities of ivory and slaves, as they were the goods that achieved highest profits. Size, weight and characteristics were the conditions that set the price and value of those two items, not the number or quantity.

Another letter tells us another story of trading in slaves. In 1271/1855, Muhammad ibn Bilqasim ibn Hayba sent a letter to Muhammad Saghiar Hiyda. Muhammad Hayba sent three *hmul* that included silk, beads, quilts, coral, mirrors and hats. He requested that his partner in return sell those items and buy him ivory: “A favour you can do to me is to sell these items and buy us ivory if it is not so expensive; otherwise get us a mixture of quilts and slaves; get that as soon as possible”.<sup>74</sup> The types of commodity (silk and coral) sent suggest that Muhammad Saghiar Hiyda resided in a commercial city somewhere in the sub-Sahara. In spite of the fact that this letter was written at a time when slave trading was significant, the merchant here was eager to get the ivory in the first place, which means that slaves were not a leading trade item. This evidence supports the assumption that slaves were not the most valuable item in inter-African trade.<sup>75</sup> Muhammad ibn Bilqasim ibn Hayba was not just interested in slaves, in a time in which slaves were supposedly the most traded commodity, but also in ivory.

I conducted an interview in Ghadames with Ahmad, who is descended from a well-known business family involved in the caravan trade in the city for centuries. On the subject of trading in slaves, he stated that Ghadames was an active trading city which dealt in the slave trade, but that the figures of slaves cited by the consuls and travellers were exaggerated. He declared that the transit trade was not only (as European consuls and travel accounts reported) in gold and slaves but also in other goods: ostrich feathers, wax, leather and ivory, which were exported from west central Africa. The number of slaves traded was not independent from other trade commodities, and the trade relied upon the demand and supply of other commodities. Sometimes dozens of convoys took one slave, and sometimes one caravan would have a small number of slaves.<sup>76</sup>

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<sup>73</sup> MLMDT (G), Collection of Hiyda Family, doc. no. 9.

<sup>74</sup> Ibid, doc. no. 200.

<sup>75</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, p. 297.

<sup>76</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

In the words of Ahmad, who undertook a survey to figure out from former slaves themselves when their families settled or came to Ghadames, it is a fact that merchants in Ghadames traded in slaves; they exported them from Sudan (Kano and Ghat) in small numbers for the purpose of export to Tripoli, or sold them on their long journey to Suf in Algeria and Tunisia. Sometimes they specifically ordered a few slaves to work as domestic servants, caravan workers or on farms. Ahmad also stated that merchants in Ghadames in the nineteenth century rarely bought new slaves. They inherited them from their families, whether these were freed slaves who had continued their relationship with their former master's family, or they were still enslaved. Moreover, slaves lived in Ghadames from as far back as 1800, when masters brought their grandfathers' slaves from west central Africa. In Ghadames, both young and old people knew which families originally settled as slaves. However, due to stigma attached to this sensitive topic they avoided giving detailed information about their numbers, stating only that their numbers were small compared to those of other classes.<sup>77</sup> This interview supports statements available in other documents that suggest there were close social and economic relationships between Libyan merchants and their slaves /former slaves. It points toward the kinds of patronage bestowed upon the freed people by their former owners in the caravan trade.

#### **1.4 Responses to the Abolition of Slavery**

The broader scholarship on the abolition of slavery has proposed contrasting models of slavery. One pattern revealed that slavery persisted for a long time after the abolition of slavery, and another showed that slavery ended after prohibition of slavery. The specific configuration of the abolition of slavery in Libya is highly particular. Abolition occurred relatively early there, although in practice slavery continued for a long time after its formal abolition in 1856. Patterns of caravan traffic are also specific to the region, affecting Libya's geography in a manner different from those of other termini of the caravan trade—Algeria, Egypt, and so forth. Libya is thus an extremely interesting case of slave history in north Africa: Libya was a strategic centre of the trans-Saharan caravan trade which linked North Africa with Bilad al-Sudan because of the three routes which connected the western Sudan with North Africa crossing through Libya: the Bornu, Wadai and Kano

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<sup>77</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

routes. Many slaves were exported to Tunisia and Egypt through Libya, making the latter simultaneously a way-station and a terminus. A broader appreciation of slave markets, the regulation of slavery, and abolition in North Africa depends on understanding traders' access to those markets and trade routes. Therefore, researching the movement of peoples and slaves in Libya must inform wider histories of other north African countries such as Morocco, Egypt, as well as other places in the Islamic world. In other ways, Libya is not so completely different from the rest of the Islamic world; there are, for example, some similarities between Libya and Egypt. However, I argue that the Libyan case is exceptional, largely because of the early dates in which slave trade was abolished, even though I also recognise that in many ways this law had only nominal results. Also, what we can see from the examples from the east and the west of Libya is that both Egypt and Morocco were not abolishing slavery, but in a global context the slave trade was under attack, which, in effect, led to the decline of slavery and the slave trade in these countries. The following section will provide a more detailed comparative analysis of the countries discussed above, in order to demonstrate Libya's exceptionality and thus importance as a historical case study of slavery in north Africa.

In Libya there are no specific documents showing a definitive end to the slave trade. Existing documents show that it faded away gradually; the year 1856 marked the beginning of the decline. Slaves continued to be traded through, on a diminishing scale, until the first decade of the twentieth century.<sup>78</sup> Marwan notes that the first official declaration for the prohibition of slave trading in Libya occurred in 1856, when 'Uthman Muzhir, the Ottoman ruler in Tripoli, sent letters to all cities in Libya informing them that trading in slaves was abolished. However, Ghadames documents show that, during the first period of the implementation of this law, merchants in Ghadames avoided going to Fezzan because the prohibition of the slave trade had been implemented and was being enforced. The abolition law did not reach Ghadames until 1863, and was not implemented until the Ottoman ruler Ahmad Rasim Pasha, who assumed power in Libya 1881-1898.<sup>79</sup> He declared in 1896 that, as a result of the international restriction on the Libyan slave trade, all slaves should be freed, and severe punishment would be handed down to anyone who dealt in

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<sup>78</sup> For examples of this approach, see: Toledano, *The Ottoman Slave Trade and its Suppression*, pp.109 -111, 135-138, 192-202; Boahen, *Britain, the Sahara and the Western Sudan*, pp. 132-159.

<sup>79</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 332-334.



slaves.<sup>80</sup> However, these transitions or deals continued in Ghadames beyond the Italian invasions in 1911.<sup>81</sup>

Similar processes were applied in Egypt; as Walz demonstrates, in 1843 the Egyptian government, banned the sale of slaves in the heart of Cairo and forced merchants to transfer the public sale of slaves to the outskirts of the city, under abolitionist pressure that European powers exerted. Albeit a reluctant one, of the government's efforts to prohibit the slave trade, and from that time onwards the sale of slaves was largely conducted in the privacy of slave traders' homes. The sale of slaves was officially prohibited in 1855 and the importation of slaves from Sudan forbidden. The new declaration had little actual effect beyond an effective prohibition of recording slave sales in official court registers. However, in 1877, a new convention between Britain and Egypt contributed to bringing back existing anti-slavery measures, which resulted in a more visible decline in slave trade. Slave trade nonetheless continued to function surreptitiously until the beginning of the twentieth century.<sup>82</sup>

Alone in, Morocco resisted most international abolitionist pressures throughout the nineteenth century, and continued to provide trans-Saharan slave traders with a profitable, large and domestic slave market. Ennaji, Wright, Laydon and Elhamel argue that twenty thousand slaves probably crossed the desert from West Africa to the Maghreb, averagely, per year; this figure indicates that about two million black people were arriving in North Africa every hundred years. Despite the fluctuations in that number, the trade did not stop until the end of the nineteenth century; slave trafficking remained on high levels up until the end of the last century. Marrakesh in particular continued very active, by selling a significant number of slaves within a few years. Slave market was quite frequent even at the end of the century. From a purely lawful point of view, no law ever eliminated slavery. The protectorate merely adopted administrative measures against its most shocking aspects: from the beginning, it forbade the public sale of slaves. A regulation which passed in 1922 confirmed this prohibition, and gave slaves wishing to free themselves of the possibility to do so. However profound the effects of these

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<sup>80</sup> MLMDT (T), QA, *al-Silnama* [annual report], vol.no. 12, Tripoli, 1312 (1896), pp. 195-196.

<sup>81</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, p. 335.

<sup>82</sup> Walz, 'Black slavery in Egypt', p.138.

measures were though, they did not absolutely forbid slavery, which continued to exist as legal institution. Moreover, the passion for the acquisition of slavery by Moroccans did not result in criminal prosecution.<sup>83</sup> The implication of the above was that Marrakesh, at least, continued to operate a leading, legal market for decades, following the ones in Constantinople, Smyrna, Cairo 1855, Tripoli 1856, Tunis 1846 and all locations that had been closed by European-inspired abolition decrees, where successive Moroccan Sultans had effectively resisted. As late as 1883, Morocco was still able to reject another friendly appeal from the British foreign office to abolish slavery. Hence, the active Sahara slave trade may have lasted for a longer period - almost up to 1930.<sup>84</sup>

A revealing letter dated 1271/1855 reveals the gradual process of slave trade abolition in Libya. In Libya. It was sent from Muhammad al-Saghiar ibn al-Hajj Muhammad al-Thani in Ghadames to Muhammad Saghiar ibn al-Hajj Hiyda in Kano. He informed him that the abolition of the slave trade had been proclaimed orally, but they had not received any written declaration from the Sultan. “The Sultan was busy waging a war with Russia, and God knows, they might be informed about the prohibition of the slave trade if the Sultan’s war with Moscow ended”. He finished his sentence by saying “there is no good in their trade, in life or the hereafter”. Moreover, he informed him that he will not send any goods from Tripoli, due to the instability of the roads and high cost of living there, which caused an economic recession in Tripoli.<sup>85</sup> We do know that prior to this date (1855) traders in Ghadames did not receive any statement confirming that trading in slaves was abolished. This letter suggests that trading in slaves still continued until at least 1855, contradicting John Wright, who stated that around 1850 slave trading in Ghadames declined as a result of Tunisia’s abolition: “the merchants of Ghadames (who) had two thirds of their capital embarked in slaves now have only a fourth of their money engaged in the odious traffic”.<sup>86</sup> This letter also indicates that traders in Ghadames were aware of the ending of slave trade, but their reactions were not violent. If trading in slaves was the backbone of trade in Ghadames, their reactions

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<sup>83</sup> Ennaji, *Serving the Master*, pp.107-108,113; John Wright, ‘Morocco: The Last Great Slave Market’, *The Journal of North African Studies*, 3 (2002), p. 62; Elhamel, *Black Morocco*, pp. 264-265; Lydon, *on Trans-Saharan Trails*, pp.127-130.

<sup>84</sup> Wright, Morocco: ‘Morocco: The Last Great Slave Market’, p. 53.

<sup>85</sup> Yusha‘, *Watha’iq Ghadames*, vol. 2, doc. no.7, p.50.

<sup>86</sup> Wright, *Trans-Saharan Slave Trade*, pp. 90-91.

would have been different. Haarmann Ulrich concluded that merchants had astutely amassed their fortune from slave trade for centuries. After several attempts to adapt to the changes in the world market, they tried to compensate for the end of slave trade by dealing in ostrich products and ivory around 1855.<sup>87</sup>

A similar view was taken by Bashir Yusha' in an article citing hundreds of Ghadames documents in support of his argument. He maintained that trading in slaves in Ghadames during the nineteenth century was not desirable compared to other commodities. Moreover, he claimed that Ghadames documents show that merchants were not interested in this trade; they were not scared when trading in slaves was abolished. In contrast, they believed that staying away from this trade was better than continuing with it. Slaves were a commodity that required food and shelter; sometimes they became sick and traders had to look after them until their recovery from their illnesses, and some of them died. Slaves were therefore a commodity, like any other, which sometimes increased in value and sometimes decreased.<sup>88</sup>

Another piece of correspondence represents another story of the history of the ending of the slave trade. In 1272/1856, Ahmad ibn Muhammad ibn 'Uthman in Ghadames sent a letter to Muhammad ibn al-Hajj Ahmad Hiyda in Kano. He informed him about political instability because of the Ghoma al-Mahmoudi rebellion.<sup>89</sup> He also informed Muhammad about commercial goods in Tripoli, Algeria and Tunis. Their slaves had been transported to Tripoli and Wadi Sawf in Algeria where they were sold for five hundred or less.<sup>90</sup> In Tripoli, the slave trade had declined. Their slaves were taken by al-Yafi to Tripoli where, he informed them, he sold females for 65 *mahbub*,<sup>91</sup> but did not say what happened with the males. Moreover, he informed him that he left a male slave in Ghadames seven months ago because he had bad (ill) legs; he did not know what happened to him. He also notified him that he had sent his ivory with al-Yafi but they did not manage to sell it.

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<sup>87</sup> Ulrich, 'The Death Ostrich', p. 80.

<sup>88</sup> Yusha', 'al-Raqiq fi Ghadames', pp.16-17.

<sup>89</sup> He was the shaykh of al-Mahammad tribes and the leader of revolution on al-Jabal al-Gharbi Al-Jabal Al Gharbi (Western mountain) in Libya against the Ottoman domination (1835-1853). Sharil Fiyaw, *al-Hawliyat al-Libiya*, ed and trans. by Muhammad 'Abd al-Karim al-Wafiy (Tripoli: al-Munsh'a al-'Ama lil-Nashir wa al-Twziy', 1983), pp. 638-639.

<sup>90</sup> The currency used to sell slaves in Algeria is not mentioned.

<sup>91</sup> *Mahbub* (pl. *mahbib*) is a currency, and specifically eight times a *qrish*, according to Tripoli court in 1846. Al-Sharks, *Sk wa Tadawil al-Nqwid fi Tarablus al-Gharb*, Appendix .no.5, p.95.

In Tunisia, their *klabu* skins were sold for twenty or less.<sup>92</sup> At the end of the letter he provided data about the market, stating that, if his partner wanted to send goods for the market, he should send “an assortment of ivory, quilts, leather and wax. For slaves, however, do not buy many, neither buy red leather nor sandals. Buy us two thousands of gunpowder and a thousand red beans”.<sup>93</sup>

The letter does not give data about al-Yafi, but I assume he was a slave who worked as a caravan worker. Also, it appears that trading in slaves still existed until 1856 in Tripoli, as the letter shows that Ahmad ibn Muhammad ibn ‘Uthman agents (al-Yafi) in Tripoli sold females for 65 *mahbub*. Moreover, this document refers to a bulk group of slaves who had been transported from Ghadames to Tripoli and Wadi Sawf in Algeria. One may surmise, however, that the number of slaves was not large due to the prices of slaves that had been sold in Tripoli and Wadi Sawf. Though we do know that he sold some of the slaves, 65 *mahbub* is a small amount for slaves sold in Tripoli. Furthermore, Tunis documents show that this merchant cared to buy other commodities such as ivory, quilts, leather and wax, whereas he considered slaves and leather less profitable goods.

Another piece of correspondence tells us more about the history of slave trade after abolition. In 1273/1857, al-Hajj Muhammad al-Tahir sent a letter from Ghadames to Hajj Muhammad Hiyda in Kano, warning him about the recession in the slave market. The writer informed the recipient to buy young female slaves: “choose four young female slaves who would be sold even with this recession”.<sup>94</sup> Although this letter is one of the few letters that only focused on slave trade, it shows that the quantity of slaves requested was small. This implies that the number of slaves traded varied according to the needs of the market as with other marketable commodities at the time, such as ivory and ostrich feathers. The small group mentioned in the letter could be used to estimate the small number of female slaves transported through Ghadames. Moreover, based on his request, female slaves had been preferred in Ghadames and they were likely purchased for use as concubines.

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<sup>92</sup> It is not mentioned in the document which currency was used to sell the *klabu* skins.

<sup>93</sup> Yusha‘, *Watha’iq Ghadames*, vol.2, doc. no.5, pp.42-46.

<sup>94</sup> MLMDT (G), Collection of Hiyda Family, doc. no. 2360. For the discussion of why women slaves were more desirable than male slaves in Africa, see: Claire Robertson and Martin A. Klein (eds), *Women and Slavery in Africa* (Madison: University of Wisconsin Press, 1984).

For example, young females were particularly requested for domestic work and sexual services.<sup>95</sup>

In another letter, sent in 1273/1857, we learn that Muhammad al-Saghiar bin Muhammad al-Thani, from Ghadames, sent his six *hmul* of commodities to Muhammad Saghiar ibn al-Hajj Hiyda, in the care of Iq ‘Umar. He requested, in return, to buy ivory “if it is not expensive or two-third of goods in the form of ivory and the rest in quilts”. The correspondent informed Hiyda that merchants in Tripoli had received a declaration from Istanbul prohibiting the slave trade, such that all slaves should be freed and a severe punishment would be handed down to anyone who dealt in slaves: seven years in a prison for anyone who sold a slave, and fourteen years in a prison for anyone buying a slave.<sup>96</sup> Although this document shows that the trading in slaves was banned in Tripoli, this ruling was not always successfully enforced. Other documents used in this chapter demonstrate that trading in slaves in Tripoli still had a market.<sup>97</sup> Moreover, this letter shows the reaction of traders after hearing that trading in slaves was abolished even in Tripoli, because Tripoli was one of the big cities that traders in Ghadames traded with. As the letter proves, they were chiefly concerned with other goods, and they did not protest that their trade would be affected.

An evaluation of hundreds of Ghadames documents written in the nineteenth century shows that traders in Ghadames wrote about the difficulties facing their caravan trade; they remarked about everything they had to contend with, including heavy taxes from Ottoman and French colonization, caravan attacks from bandits and the Bedouins, prices of goods, and so on. All these problems are noted in the documents of Ghadames, yet we did not find any signs that they were affected by the abolition of the slave trade. In the evidence considered here, it seems they did not discuss abolitions impact on the caravan trade, suggesting therefore it was not essential.

The impact of the ending of the caravan trade is vividly illustrated in another letter from 1326/1908. Seven prominent merchants from Ghadames sent a letter to

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<sup>95</sup> The uses of female slaves as servants and concubines will be addressed more in the second chapter section, (Domestic Servants), and in the third chapter section, (Manumission of concubines).

<sup>96</sup> Yusha‘, *Watha’iq Ghadames*, vol.2, doc .no.12, pp. 59-60.

<sup>97</sup> MLMDT (G), Collection of Hiyda Family, doc. no. 101.

the Ottoman governor in Tripoli about their difficult circumstances and requesting him to reduce the heavy taxes imposed on them, which they struggled to pay because of the decline of the caravan trade. The merchants noted that for centuries Ghadames had been one of the active trade cities on the road to Kano and Timbuktu. Their ancestors, traders in Ghadames, became rich because of their trade with these two cities. The merchants wrote that two hundred merchants worked in the caravan trade, in which each trader invested more than fifty thousand *qrish*. They continued in this position until Kano was colonized by Britain, and Timbuktu by France, after which time the colonizers cut the merchants' trade. As a result just six merchants still worked in trade. They had been forced to sell their women's jewels and they begged the ruler of Tripoli to reduce the heavy taxes which had been imposed on them.<sup>98</sup> It is apparent from this letter that traders in Ghadames lost their caravan trade. It also showed clearly their reactions and how they had been affected by it. Whilst the abolition of slave trade was met with little complaints as the documents discussed in this section indicates, the loss of caravan trade all together was met with desperation and appeals to the ruling power for understanding.<sup>99</sup> At the same time the documents showed that they continued trading in other commodities. Marion Johnson and Stephen Baier provide similar data, as discussed in the introduction, which shows that the caravan trade continued after trading in slaves had ended, and still continued in different commodities until the early twentieth century.<sup>100</sup> This is in contrast to other oasis economies such as that of Adrar Emirate in Mauritania, which were more immediately affected by the abolition of slavery.<sup>101</sup> Clearly further research is needed to develop a more complete picture of how abolition affected the oasis economies in Libya and across North Africa.

In 1301/1884, Ahmad ibn Salim al-Katli wrote a letter recording expenses and prices for male and female slaves belonging to al-Hajj Muhammad al-Salmi. He informed him that two slaves had stayed in his custody for twelve days. It cost him fifteen *qrish*, including the date oil and wheat with which he fed them. He stated that the male slave had been handed to al-Habib Hayba, who sold him for seventy-one

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<sup>98</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, doc. no 20, pp. 53-54.

<sup>99</sup> Yusha', *Watha'iq Ghadames*, vol.2, doc .no.7, 12, pp 50, 59-60.

<sup>100</sup> Baier: *An Economic History of Central Niger*, p.79; Johnson, 'Calico Caravans', p. 97.

<sup>101</sup> Pierre Bonte, 'Fortunes Commerciales a Shingiti (Adrar Mauritanien) au Dix-Neuvieme Siecle', *Journal of African History*, 39 (1998), pp. 1-13.

*mahbub*.<sup>102</sup> Though we do not know where this letter was sent from or to, one may assume that it had been transported in the care of the letter's writer from one of the commercial cities. From the short journey it took to reach Ghadames, it might be a nearby country, such as Tunisia or Algeria, where merchants from Ghadames usually traded. Moreover, I assume that this slave was sold at a time when trading in slaves was abolished, as the price for the slave was expensive. This episode indicates that slaves were not sent directly to the destination; they may stay in a location until the opportunity of getting a good market presented itself. This letter also represents the experience of other slaves who were transported in similar conditions, during which their merchants were expected to secure them adequate shelter, provide them food and other care.

Another undated dispatch described the experience of four slaves. It was sent from Muhammad ibn 'Umar ibn Bubakir in Ghadames to Muhammad al-Saghiar ibn al-Hajj Ahmad Hiyda. He informed him that the four slaves that he had sent from Air had recently arrived at Ghadames, but that they were very lethargic. One of them was ill (diarrhoea). The letter confirmed that he would look after them until they got well and energetic again, so that he could sell them. He also informed him that he sent two *hmul* of commodities, requesting ivory in return, "if it is cheap".<sup>103</sup> We do not know when the letter was dated, but we do know that when the slaves were ill the masters had to treat them until they recovered from their illness. This letter shows the experience of slaves who had been transported in similar conditions. It is obvious from this letter that the traders cared for the slaves, keeping up their appearance and looking after their health. According to Islamic law, merchants were obliged to provide drinking water, food and shelter for the slaves. Spending on the slaves was usually redeemed through the high profits gained by selling them, which explains why slaves were more expensive than other prevalent goods that came from Sudan.

In 1271/1855, Muhammad ibn al-Hajj Muhammad Bilqasim sent a letter from Ghadames to the merchant Muhammad ibn Ahmad Hiyda in Kano. He informed him about the Ghoma al-Mahmoudi rebellion, which had caused political instability and made trade roads unsafe. Muhammad Bilqasim told Muhammad al-Hadir that the city of Tripoli was witnessing hardship, that basic goods were

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<sup>102</sup> MLMDT (G), Collection of Katli Family, doc .no.3357.

<sup>103</sup> MLMDT (G), Collection of Hiyda Family, doc. no. 73.

unavailable, and that the road that linked Ghadames with Tripoli was closed. He also notified him that one of the slaves they jointly owned had died after a four day journey from Ghadames. He had sent the other one into the mountains with the slaves of a trader named Basidi, and he did not know what had happened to them. Moreover, he instructed his partner to stop trading in this kind of commodity because of the disease that broke out among the slaves, warning that there was no benefit to be had in this trade. In the words of Muhammad ibn al-Hajj Muhammad Bilqasim, ‘‘mixing with slave trading now is not really advisable’’. He also informed him that he could not sell the leather, slaves and sandals that he had send to him in Ghat last year.<sup>104</sup>

Whilst we know that a slave died within four days of leaving Ghadames, the cause of death is unknown. It is possible that his death was a consequence of sickness, fatigue, ill-use, or perhaps he was left to die because slaves could not be sold when ill. These two stories exemplify slave transport that resulted in death or the inability to sell the slaves due to poor health. This letter indicates that slaves suffered through the slave trade, and also shows that some traders suffered through slave trade. It also elucidates the social lives of those trading in slaves, and proves that this kind of trade was not always successful in terms of profits. Indeed, the scale of loss and damage that could occur was often larger than that seen with other goods.

Another undated letter sent from Muhammad ibn ‘Amar al-Ghati to Muhammad Hyad ibn al-Hajj Ahmad Hiyda and his son ‘Umar bin al-Hajj Muhammad Hyad relates the story of a trader’s bad experience of operating in the slave trade. It informed the reader that he had transported his ten *hmul* under the care of the Air Tuareg. Moreover, he told his partner that the slave market had decreased, with the result that he could not sell his twenty slaves, who were therefore still in his house, praying for God to send buyers.<sup>105</sup> The letter gives us insight into the experience of merchants trading in slaves. Progressively, slaves lost their economic appeal and became a burden rather than being profitable, which forced merchants to suspend their dealings with this sort of commodity, (although many undoubtedly hoping it would revive again). One might infer from the language of the letter that it was written at a time when trading in slaves was abolished, but the merchant did not

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<sup>104</sup> Yusha‘, *Watha’iq Ghadames*, vol.2, doc. no. 6, pp. 47-48.

<sup>105</sup> MLMdT (G), Collection of Hiyda Famiy, doc. no.14.



complain about this circumstance; rather he prayed for Allah to send a buyer for his slaves. This letter may thus provide an example of how many traders reacted to not being able to sell their slaves.

The slave trade and its merchants faced difficulties not only because of the recession that resulted from the prohibition of slavery, but also because merchants had to accommodate, feed and care for the health of the slaves who remained unsold, which lasted in some cases a rather long time. Recession, political instability, outbreaks of disease and famine had forced merchants to leave Tripoli and go home and suspend their activity.<sup>106</sup> Hence, the slave trade was not as trouble-free as it has been portrayed by some travellers, who were guilty of exaggeration in their descriptions of both slaves being brought in huge numbers to be sold at high prices and the greed of the merchants. On the contrary, merchants had to shoulder transport, living and accommodation expenses of slaves. According to ‘Abdul‘aziz, slaves were brought to the Suq al-Hilqa in the old city of Tripoli (al-Madina al-Qadima) which is still known by this name. Slaves were taken to Hamam al-Hilqa (steam bath) in the old city of Tripoli for cleansing and then accommodated in rooms in Suq al-Laffa next to the Suq al-Hilqa to be put on display the next morning.<sup>107</sup> This does not mean that there was no abuse or carelessness. A letter dated 1850, signed by members (notables) of Ghadames acting in accordance with instructions of the governor was sent to the mayors of the provinces, directing the merchants, who dealt in slaves to feed, clothe and take a good care of the slaves during their journey to the cities in the north. They must ride not be left to walk:

Camels must be arranged for them, also food, drink and clothes; slaves should never be left undressed. When merchants pass by your district they must give full information about the number of slaves and number of camels. The data must also show how many captives a single camel carries.<sup>108</sup>

Yet slaves are likely to have been left to walk; it would have been a hardship and a long journey for slaves to cross the desert, which obviously caused high mortality from sickness, fatigue, or ill-use. Slaves were left to walk because hiring rides was considered too expensive. Documents discussed earlier in this chapter support the

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<sup>106</sup> Yusha‘, *Watha’iq Ghadames*, vol. 2, doc. no. 7-9, pp. 50-55.

<sup>107</sup> Interview with ‘Abdul‘aziz, by Amal Altaleb, Tripoli, 26-12-2012.

<sup>108</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, doc. no. 17, p. 49

supposition that slaves had to travel on foot, as shown in a letter sent from Muhammad al-Man‘ to al-Mukram Sidi Muhammad ibn Salim, mentioning that he had sent a female slave and hired a ride for her because she was ill and could not travel on foot. He pleaded with al-Mukram Sidi Muhammad ibn Salim to let her stay with his children and treat her as one of his own children.<sup>109</sup> Though this event suggests that slaves had to travel on foot, it also gives an impression of how masters treated their slaves when they became ill. In this case he provided a camel to a slave until she reached a safe place, where she could have good treatment. Nonetheless, it was normal for people who travelled through the desert to travel on foot, and it would not have been possible for the merchant to provide rides to a large number of slaves; they could usually only afford to hire camels to carry goods. Even agents who accompanied the caravans travelled on foot. Indeed, an interviewee from Tripoli told me that children were put in net baskets and put on camels, as they were unable to endure foot travel. Women were also provided with a ride, as they were considered weak and vulnerable, but men always walked.<sup>110</sup>

These records suggest that the majority of slaves were forced to walk across the Sahara. This is presumably why an adult man would not be worth much unless he was physically fit enough to survive walking across the desert. Nonetheless, there were occasional instances in which slaves were provided with transport. The mortality rates clearly demonstrate that walking was a terrible hardship, and perhaps it was used as a sorting mechanism for killing slaves who would otherwise not have been very valuable. Thus, the ones who were provided with transport (children, and women) were ones who were valuable for reasons other than their immediate ability to be labourers.

A few of the available documents mention the number of slaves brought, as part of each merchant’s trade, whereas the rest of the goods are mentioned accurately in special inventory letters, which were sent to the representatives, prior to the caravans’ departure to Sudan. Prices, however, were not steady. The value of slaves was contingent on their age, gender, and the purpose for which they were acquired. Therefore, the merchant or his agents set the price according to the demands of each

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<sup>109</sup> MLMDT (G), Collection of al-Man‘ Family, doc. no.1038.

<sup>110</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013.

market. Some documents reflect contradictions with regard to slave trade records, especially those issued in the last half of the nineteenth century. These documents do not reveal that slaves were brought and sold in huge numbers, and show that the caravan trade did not decline or stop even after slavery was prohibited. It continued but with alternative commodities that were marketable and profitable at the time.

It is not clear in the letters why the number of slaves was never specified, which poses a question about whether the agents were honest and trustworthy. Was the lack of detail a deliberate commercial ploy, or was it more simply a tradition among Ghadames merchants? There were customs records which registered the numbers, to estimate tax value, in the main cities like Tripoli, Ghadames and Murzuq, in addition to the records of Ghadames that were compiled for tax assessment by the Ottoman authorities. For example, a document dated 1852 relates the number of slaves exported to Tripoli and Benghazi through the Murzuq customs. The numbers of slaves registered by the customs in Tripoli and Benghazi showed how many were received for export or local sale. A total of 449 slaves from different centres in Libya, including Fezzan, Suknah, Widan, Huun, al-Jabil al-Gharbi, Jalu and Misurata, arrived in Tripoli and Benghazi during the last quarter of the year.<sup>111</sup> The document reveals that the numbers varied, but the highest was 138 slaves for all the merchants of Fezzan, and the lowest was one slave.

Though Ghadames merchants are not listed in the customs document, they do list many merchants from different cities in south and east Libya. For instance, those merchants that crossed the Murzuq customs to reach Tripoli and Benghazi, the two main export cities in Libya. Murzuq is the capital of Fezzan, and it was known as one of the biggest commercial cities in the slave trade.<sup>112</sup> It is therefore reasonable to assume that these figures reveal that the slave trade was not significantly larger than what is shown here, since they were documented at a time when trading in slaves was significant elsewhere. Other records of the customs at Bab al-Minshiya illustrate the number of slaves brought to Tripoli province via Ghadames.<sup>113</sup> A table compiled by Marwan includes the names of the merchants and the numbers of slaves they brought to Tripoli in the period between 1260 and 1262 (1844-1845). The whole

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<sup>111</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, doc. no. 21, p. 55.

<sup>112</sup> Boahen, *Britain, The Sahara and the Western Sudan 1788-1861*, p. 115; Wright, *the Trans-Saharan Slave Trade*, pp. 69-88.

<sup>113</sup> Bab al-Minshiya was the entrance through which goods entered Tripoli Market.

registers of Bab al-Manshiya, which constituted 138 files, refer to two routes through which the slaves were brought to Tripoli: Murzuq and Ghadames. Their numbers in total were 2099, an annual average of 700 slaves, which is not a significant number considering the numbers of merchants who dealt in such trade. The book gives the names of 142 merchants, most of whom were from Ghadames. The number of slaves brought via the Ghadames route was 818, an annual average of 273 slaves. Tellingly, this number is nowhere near as large as the traveller's diaries and consul reports alleged.<sup>114</sup>

Another claim from the court records of Tripoli illustrates the number of slaves brought to Tripoli province via Ghadames. In 1252/1836, traders of Ghadames went to the court of Tripoli to claim that their caravan was seized by bandits in Gharyan. They stated that it was full of goods such as gold, herbs, fabrics, utensils and 30 slaves, 7 males and 23 females. The judge summoned some notables of Gharyan, who testified that they would bear the losses from their town's commodities listed above in the case.<sup>115</sup> We do know from this claim that it occurred in a time when trading in slaves was open. Looking at the goods carried on the caravan, one can assume that it was sent to Tripoli for trading – yet the number of slaves carried to Tripoli, either for export or local use, was not particularly large. However, even though the number of slaves was low, it made up the highest proportion of profitable goods besides gold. The price of slaves reached 1480 in *riyal duro* and the gold value was 101.25 *riyal duro*, while the value of the rest of the goods was between 1 and 24 *riyal duro*. This confirms that slaves were the most profitable items in that caravan. It was the quality, not quantity, of slaves that guaranteed profits. It seems that demand was highest for female slaves, who formed 70% of the whole contents of the caravan.<sup>116</sup>

## **Conclusion**

In 1280/1864, when slave trade was restricted and caravan trade continued, a detailed document reported the caravan trade for 27 merchants from Ghadames and

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<sup>114</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, pp. 309-313.

<sup>115</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'iyah 1760-1854*, pp. 34-36; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, p. 477.

<sup>116</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'iyah 1760-1854*, pp. 33-34.

Twat. The caravan carried other goods (*klabu* skins, ostrich feathers, fabrics, currencies) that were the largest components in the caravan trade, with just a single slave included as part of the commodities.<sup>117</sup> This fact indicates the dynamics of the caravan trade and evidences the flexibility that emerged from caravan trading.

A variety of sources which have been used to reconstruct the history of the trans-Saharan caravan trade in the mid-nineteenth century magnify the significance of slavery.<sup>118</sup> These sources misrepresent how the slave trade operated in the commercial world occupied by the Ghadames merchants: for these European commentators, the exotic caravans were only filled with slaves, when in fact they carried a wide range of other, frequently less profitable goods. By looking at the content of correspondence contained in Ghadames documents between the merchants, I emphasised that merchants understood slaves as commodities, and they really did see slaves as not intrinsically different from other commodities such as ostrich feathers and ivory. Slaves were equally subject to the principles of supply and demand. Equally, the slave trade was not always successful in gaining profit because the scale of possible loss and damage in comparison to other goods was higher. Furthermore, the number of slaves traded was not independent from other trade commodities, and the trade relied upon the demand and supply of other commodities. The number of slaves stated in the letters were much fewer compared to those of travel accounts and council reports. This is one of the reasons why slavery was able to continue even after formal abolition in 1856. Moreover, it shows that the caravan trade did not completely stop even after slavery was prohibited but continued with alternative commodities that were marketable and profitable at that time.

Exploring the caravan trade and the transportation of slaves can also provide insight into the social life of slaves. The caravan trade created a structure that shaped this social life, and gave slaves the opportunity to work as caravan workers and domestic servants. The next chapter of this thesis will now examine the legal status and cultural and social life of slaves in Libya.

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<sup>117</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp.478-480.

<sup>118</sup> My analysis draws upon the work of Ghislaine Lydon, see: Ghislaine, *on Trans-Saharan Trails*, pp. 122-123.

## **Chapter Two: The Legal Status and Social Life of Slaves in Libya**

### **Introduction**

In 2013, I interviewed an 80-year-old woman who was a descendant of a wealthy family that traded in Kano approximately over 150 years ago. Fatima narrated the story of the slaves of her family.<sup>1</sup> A relative had given her great grandfather two slaves as presents and her grandfather named them. He called the girl Khiyra and the boy Mas'ud. Then he arranged their marriage and gave them a little house attached to the family house. Her great grandmother taught the girl how to cook, clean and perform other domestic duties including child nursing. In a few years the female slave was called 'mother Khiyra' and the male was called 'father Mas'ud' Khiyra also became the housekeeper and was given authority.<sup>2</sup>

This intimate relationship extended to the eating arrangements. The women of Fatima's family ate with the female slaves, most of whom were Muslims. On the other hand, the men kept their distance and the male slaves ate separately from their masters. Fatima continued by saying that her family bought female slaves and their daughter's jewellery to wear (gold bracelet, ring, nickels, and earrings). This was because they wanted to show off their slaves as elegant, clean and well looked after. Soon the slaves' children, both girls and boys, were sent to serve the extended family of uncles and aunts who lived on the land next to them, and as such the children did not lose contact with their parents and with their siblings. Fatima said that her family cared that the slaves' children did not end up with unknown families, to protect them from harassment or being homeless. It so occurred with one of the family branches that slaves were treated so badly that some of them ran away. However, through a concerted search effort, some slaves were found and retained – although some were never found.

When the children got married, Fatima's family arranged wedding parties where slaves from other neighbourhoods met up. Celebrations were also thrown when a child was born. The parties were organised with sweets and puddings similar to that available at high class parties. However, the slaves had to get the master's

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<sup>1</sup> Interview with Fatima, by Amal Altaieb, Tripoli, 28/12/2012.

<sup>2</sup> For a similar case, see: Walz, 'Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century', p. 95.

approval in order to obtain the ration for the food. The slaves were also given Fatima's family surname, and for more than 50 years dissolved and integrated with the society to become equals with the rest of the free-born people as doctors, teachers, businessmen, and so forth. The new generation still kept in touch with Fatima's family during major occasions (weddings or funerals) and "are seen by the family as relatives rather than as slaves".<sup>3</sup>

### **Analysis of Fatima's Story**

Fatima's story talks about the social status and life of slaves with Tripoli families in Libya through the life history and fate of a slave couple who lived in Tripoli during the time of study. Her oral testimony illustrates that slaves could be given as presents. Indeed, it was conventional at that time that the rich offered slaves as presents during social events such as weddings. *Al-Yaumiyyat al-Libiya* also emphasizes this fact among Tripoli families. A recorded instance of such a practice occurred on the 4<sup>th</sup> of April 1813, where Hassan al-Faqih Hassan, the author of *al-Yaumiyyat al-Libiya*, gave 'Ali Pasha al-Qaramanli a female slave for his wedding. She was valued as much as 185.000 *riyal*. Hassan's wife also gave them 40.000 *riyal* as a present.<sup>4</sup>

Fatima's story elucidates slave treatment by their masters in Tripoli. Fatima stated that her family had given the slaves beautiful and exclusive Arabic names which were different from common Libyan names. Khiyra means goodness and Mas'ud means happy or a blissful one. These names given to slaves indicate that masters thought slaves to be people entirely different of them. It also is assumed that the slaves were at the age of puberty. That they were also married and accommodated near the family buttresses this fact. According to Islamic law, slave owners must provide them with food, clothes and accommodation, thus mirroring the good treatment the slaves enjoyed.

The respect that Fatima received indicates the slave's opportunity to fill a position of authority and to direct some domestic affairs of the master's family which slaves would not otherwise have the chance to. Although the narrator does not

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<sup>3</sup> Interview with Fatima, by Amal Altaieb, Tripoli, 28/12/2012.

<sup>4</sup> Hassan, *al-Yaumiyyat al-Libiya*, p. 139.

tell whether “the couple” were emancipated at the time they took charge of the house, it is possible that emancipation took place in the second generation while they continued as part of the master’s family as Fatima’s narration indicates. It is presumed that the slave couple spent most of the day serving their masters and returned home at the end of the day since they stayed next to the family house, thus reducing the stress of travelling. Additionally, masters used to participate in the social occasions of the slaves and supplied them goods for celebrations and parties. They also provided good clothes and jewellery and above all endowed the slaves with the family’s surname. This is an especially benevolent attitude because it facilitated equality between masters, the free people and the slaves’ offspring. This shows how well masters treated their slaves in Tripoli, the close social relationships between Libyan masters and their slaves/former slaves and the clear relationship of patronage which freed people could retain with their former owners (or their master’s families).<sup>5</sup>

It is obviously that Khadija’s story shows a way in which the descendants of masters remember what it was their families were doing with their slaves, this is not necessarily telling us how they treated their slaves, It would be problematic to automatically take Fatima’s description of how her family treated their slaves (Khiyra and Mas’ud) as accurate since the story has only been told from the master’s perspective. As will be discussed later in this chapter, court records provide significant cases of runaway slaves in Libya, possibly due to their poor treatment. Nonetheless Khajida’s story informs us about what constitutes good slave treatment and the appropriate indicators of respect for slaves. Throughout this thesis, we chart instances where slaves mobilised such narratives to appeal to courts if they felt such customary codes were being broken by their masters.

This chapter examines the daily experience of slavery, its legal history, and the cultural categories that governed the lives of slaves in Libya; it thereby attempts to reconstruct what it meant to be a slave. Chapter One discussed the caravan trade, and political economy of slavery. But ultimately, being a slave was not one thing; there are many different sorts of conditions that slaves faced, as this chapter shows.

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<sup>5</sup> Another two interviewees conducted in Tripoli, stated that master treated their slaves well, and gave them their families’ names. Interview with Ibrahim, by Amal Altaleb, Tripoli, 13/1/2013; Interview with ‘Abdul‘aziz, by Amal Altaleb, Tripoli, 26/12/2012.



It looks at slavery not as one system, but as being a set of statuses which people experienced from different perspectives. These varied; Ghadames and Fezzan were not the same as Tripoli, just as the experience of being a caravan worker or domestic servant strongly contrasted.

This chapter begins by introducing basic information about Maliki rules on slavery, slave ownership, and manumission. It is then subdivided into two sections; the first section explores the employment of slaves. The first section explores the employment of slaves. It looks at the legal principles governing slavery, and at informal customs, which nonetheless powerfully determined what the slaves could do, and what they were expected to do. It will reveal that slaves were essential to the citizens of Libya, especially to the elites of Tripoli and Ghadames, who saw slaves as their property and utilized them for many services. As such, two main groups of slaves existed: those who worked in the caravan trade and others who worked as domestic servants.

The second part of this chapter explores slave resistance, including legal cases of runaway slaves and theft by slaves which reveal how slaves were seen by society. These cases also reveal the rights and duties imposed on masters to deal with slaves? What were the patterns of slave resistance and how did masters react? At times, slave flight was not necessarily about freedom but about exchange of owners. These cases document slaves who ran away to seek better treatment with others masters. Cases of the theft of slaves will present slaves as being independent and possessing their own economic life.

Section three looks at the social relationships that developed between masters and slaves in Tripoli, Fezzan and Ghadames. It will explore how these relationships of patronage and abuse varied, and the extent to which slaves were able to use Islamic courts to protect themselves. It follows scholars such as Frederick Cooper to consider that the regulation of the master's power over his slave(s) was the key part of the stability of the system.<sup>6</sup> It begins by looking at the social life of slaves since they were taken as slaves (becoming the property of their masters). Treatment of slaves by their owners is also examined and the differences between slaves used as domestic servants, caravan workers and peasants will be investigated. A discourse on

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<sup>6</sup> Frederick Cooper, 'Islam and Cultural Hegemony: the Ideology of Slave-owners on the East African Coast', in *The Ideology of Slavery in Africa*, ed. by, Paul E Lovejoy (London: Beverly Hills, 1981), pp. 271-300.

the signs of moral obligations of a master to his slave, in Tripoli and Ghadames, is explored. The key findings of the chapter will be identify what practices qualified a master as a good owner in the perception of the time, and what happened when these moral obligations were seen as broken. Evidence gathered for this research, via fourteen interviews, will suggest distinction for the slave's treatment between Tripoli, Fezzan and Ghadames.

The last part of this chapter discusses the other half of the social history of slaves in Libya. It shows how slaves got married to each other and it explores the position of slaves in society. Most of the evidence for this chapter was gleaned from court records, commercial correspondences, interviews and the memories of Hassan al-Faqih Hassan, and by linking travel accounts and secondary literature review to write about the legal and social history of slavery. The court records in Tripoli were especially useful because they gave a vision of how relationships and treatments had been negotiated and contested at court. It is also an adequate arena where these elements and a slave's duties defined the kinds of slaves that existed. These were considered to be a very important issue in court, and the available records gave clues about various case scenarios. On the other hand, in Ghadames there were interactions in the caravan trade that were not recognised in Tripoli, as will be examined in this chapter.

### **Slavery in the Islamic Legal System**

As elsewhere in the world, in Libya the legal framework for slavery prescribed the master's behaviour towards his slave and thus enabled a social framework that regulated the practices of slave holding. Until the middle of the nineteenth century, Libyans courts followed the Maliki and Hanafi schools of Islamic law. In most cases, judges were Hanafis sent from al-Asitana. Maliki deputy judges assisted them. However, after 1847, al-Asitana declared that all judges who presided over cases would be of the Maliki doctrine, and that Hanafi judges would no longer be required in personal matters, reflecting the fact that, in their personal life, Libyans followed the Maliki doctrine.<sup>7</sup> The following discussion therefore primarily focuses on Maliki principles because these were the most influential in

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<sup>7</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya*, pp. 89-90

Libyan social life, this despite the fact that some of these principles were more significant in how they were breached.<sup>8</sup>

The different Islamic schools of law were an application of the legal principles inherent in the Qur'an, Hadith (practise of the prophet Muhammad), and then the process of analogical reasoning. The Quran discusses slave holding in a broad sense, and this served as the basis for the Maliki and Hanafi schools' approaches to slavery. Their rules are basic ethical statements rather than precise codes of legal doctrine.<sup>9</sup> In the Qur'an, there is no mention of possible reasons of, or the process for, enslavement. The constitution of slavery is naturally assumed. However, the Qur'an formulates principles and conjunctions, so that the conditions are mitigated, encouraging manumission.<sup>10</sup> In theory, the owner is obliged to bring the slaves into the Muslim community and teach them about Islam. The owner serves as the slaves' guardian and takes the responsibility for their actions. The Qur'an cautions the owners for their behaviour and attitude towards the slaves: the slaves must be treated well and their needs must be taken after. If the owner fails these obligations, he or she could then be compelled to fulfil them by court order (judge), or else the slave would be sold or emancipated. Overwork is forbidden, and if it is done so cruelly, the owner is liable to be penalised (although this is not lawful, but discretionary).<sup>11</sup>

Maliki jurists in particular concentrated on four major debates: who legitimately is a slave, slave treatment, the legal rights of slaves, and the mode of their emancipation. During the first three centuries of Islam, the jurists were fully aware of the institution of slavery, beyond any distinctions based on ethnic origin or colour. According to the rules of shari'a, the legal criterion for slavery was unbelief. Its people had agreed on a non-aggression pact, and their territory had been forcibly invaded and occupied in accordance with the rules governing jihad.<sup>12</sup> The strict letter of the law dictated that only non-Muslims and those with whom a community do not have a pact can be enslaved by the community. However, such slaves must have

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<sup>8</sup> For more discussion about the ideology of slavery in the Islamic law, see: Cooper, 'Islam and Cultural Hegemony', pp. 271-300; His argument ultimately is taken from Eugene D. Genovese in: Roll, Jordan, Roll: the World the Slaves Made, (New York: Pantheon Books 1974).

<sup>9</sup> Ahmad Alawad Sikainga, 'Slavery and Muslim Jurisprudence in Morocco', *Slavery and Abolition*, 19 (1998), p.61.

<sup>10</sup> Hunwick, 'Black Slaves in the Mediterranean World', p.6.

<sup>11</sup> Ibid, p.6: Sikaingai, 'Slavery and Muslim Jurisprudence in Morocco', p.61.

<sup>12</sup> Sikaingai, 'Slavery and Muslim Jurisprudence in Morocco', p.61, Hunwick, John and Eve Troutt Powell, *The African Diaspora in the Mediterranean Muslim World*, pp. 23-24 ; Hunwick, 'Black slaves in the Mediterranean world', p. 6; Lydon, 'Slavery, Exchange and Islamic Law', pp.121-123.

been enslaved after his or her community was conquered, subsequent to the later rejecting summons to Islam. The nineteenth-century Moroccan historian al-Nasiri, a vigorous polemicist against his fellow- country men who assumed that being black, or of Sub-Saharan African origin was a sufficient enough reason for enslavement, summarised the position:

The basic condition of the human being is freedom.....The reason in Holy Law which existed in the time of the Prophet and the pious forefathers for enslaving people - namely being captured in a jihad which has the object of making the Word of God supreme and bringing men to His religion - does not exist in these days.<sup>13</sup>

In theory, a free-born Muslim could not be enslaved; therefore, strange as it may seem in the light of what actually happened in Islamic history, neither the purchase of a slave from non-Muslims, nor seizure by raiding or kidnapping were lawful methods of obtaining a slave. In fact, the most common method of obtaining a slave after the Islamic victories during the first century was by purchase. In Africa, slaves were generally obtained by purchase from sub-Saharan rulers who were, at least nominally, Muslims. They obtained the slaves in turn, by raiding neighbouring, non-Muslim (and sometimes Muslim) peoples, and by often organising such raids specifically for the payment of goods they had selected from North African caravans. Nomadic Saharan tribes, especially the Tuareg, were engaged in kidnapping.<sup>14</sup> This is paradoxical in the sense that the law was explicitly clear that Muslims were not to be enslaved. This was a fact that the court records in the nineteenth century tended to ignore. This section has so far concentrated on enslavement, and will now turn to slave's legal rights and limitations, about which the court records had a lot to say.

Technically, the master owned both the slave and the slave's possessions; however, there was a manumission contract involved, the slave was allowed to earn money in order to buy his own freedom, and could be saved a marriage pride price, just like the slaves with contracts for manumission. The slave could marry, but only with the master's consent. While the Hanafi and the Shafi' schools of jurisprudence allowed a male slave to marry two wives, the Maliki permitted four, thereby making no distinction between slave and freeborn male. Theoretically, a male slave could marry a freeborn woman; however, that was discouraged in practice, as a reflection

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<sup>13</sup> Look for his reference: Ahmad b.Khalid al-Nasiri, *Kitab al-Istiqsa' li-Duwal al-Maghrib al-Aqsa*, vol. 5 (Casablanca, 1955), pp. 133-44. Cited in: Hunwick, 'Black African in the Mediterranean', p.8.

<sup>14</sup> Hunwick, 'Black slaves in the Mediterranean', pp.6-8.

of racial consciousness and social status among Arabs. If a male slave married a female slave, the children belonged to the female's owner. A female slave could marry a free male, including her master, but according to legal principles she had to be freed before the marriage was contracted. A slave's testimony was not admitted in courts. The penalty for an offence committed by a slave was half, compared to that of a free person. The owner was responsible for paying fines induced by the slave. In civil matters, a slave had no rights or legal powers and could not enter into contract, held or inherited property.

Slaves most commonly went to court through cases of manumission. There was a well-developed and regulated procedure for manumission. Islam encouraged *'itq* (manumission) and provided several patterns to facilitate it. The first method is *tadbir*, by which the owner would declare that a slave would be freed after the owner's death. The second is *mukataba*, or a contract of manumission between the owner and the slave, whereby the latter would pay the owner a fixed sum of money. The third method is by verbal proclamation by the owner, that the slave is free. The fourth, a slave could be freed as a *kafara* or penance for accidental homicide, breaking an oath, or other offences. Perhaps no area was treated in more detail than the status of female slaves categorised as concubines. A concubine who bore children to her master would be elevated to the status of *umm al-walad* (mother of his child), and their offspring would be considered equal to the masters' free-born children. Such a woman could not be sold and was to be freed upon her master's death. A female slave whose master claims her before a *shari'a* court to be his concubine can claim manumission and is entitled to the master's estate upon the master's demise as long as she remains with the master in his life time. However, if the slave seeks and gains freedom during the life time of her master, then such slave continues to live with her master as a mistress and loses the legal status of a wife. Also, her children are considered to be bastards. Furthermore, the children of a female slave born of a family other than her master's family (either slaves or free-born citizen's) are considered the property of the female slave's master.<sup>15</sup>

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<sup>15</sup> Sikaingai, 'Slavery and Muslim Jurisprudence in Morocco', pp.61-62.

## **2.1 Working Lives of Slaves**

### **2.1.1 Domestic Servants**

This section is about domestic servants and the roles they played in cities such as Tripoli and Ghadames. It shows that domestic servants were very much multifaceted; both men and women were involved in domestic services, and there were issues with mistreatment of concubines and house workers. Ownership of slaves was a privilege of the noble and ruling elite. Slavery in general had its significance and use in different activities at the time, with house slaves being the most common kind of slavery in the Arab world and Libyan society.<sup>16</sup> Slaves and servants were civil phenomena that characterised life in the main cities of the south and west of Libya, such as Tripoli, Ghadames, Fezzan and Ghat where the well-off resided, in particular the ruling class and powerful families. Indeed, in 1845, James Richardson mentioned that the rich of Ghadames had lots of slaves; males as well as females.<sup>17</sup> The importance of slaves in everyday life is derived from the fact that slaves used to undertake all types of work including babysitting, cooking, cleaning and all the other hard domestic work.

Marwan stated that the purpose of possessing house slaves in Ghadames was to do work which the masters could not do themselves. Several documents showed that merchants of Ghadames possessed many female slaves who served at their homes and performed difficult domestic tasks such as fetching water from the springs and wells to the houses, cleaning clothes, cooking, grinding grain, and so on. For that reason they were considered as a necessary item for the household.<sup>18</sup> In the same context, Richardson had witnessed in 1845 that slave women carried water from the spring to the houses of their masters.<sup>19</sup> Male slaves did all the jobs on behalf of their masters that required masculine, physical labour, such as farming: sowing seeds, watering plants, digging earth, pollinating trees, and so on. Those jobs

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<sup>16</sup> Ralph A. Austen: *Trans-Saharan Africa in World History* (Oxford University Press, 2010), p. 25; Sikainga, *Slaves into Workers*, p. 25; Lewis, *Race and Slavery in the Middle East*, p. 13; Toledano, *the Ottoman Slavery and its Suppression*, p. 8; Judith Tucker, *Women in Nineteenth-Century Egypt*, (Cambridge :Cambridge University Press, 1985), p. 164.

<sup>17</sup> Richardson, *Tirhal fi al-Sahra*, p.152.

<sup>18</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.542. For similar view, see: Lydon, *on Trans-Saharan Trails*, p.348.

<sup>19</sup> Richardson, *Tirhal fi al-Sahra*, p. 88.

were usually done in the country outside of Ghadames, especially during the rainy season.<sup>20</sup>

The documents show that the population of the city was split into two main classes; the aristocratic which possessed most of the agricultural lands and a separate class consisting of slaves and emancipated slaves. The latter worked for the former.<sup>21</sup> The slaves worked in the fields as agriculture became the second most important economic activity in Ghadames, after trade. Growing date palms formed the core of the agricultural business and the number of planted palms reached 15188 trees during the Ottoman period. For instance, the al-Thani family alone owned 745 date palm trees. The people of Ghadames sought to increase the number of trees by using labour provided by slaves and emancipated slaves. The work was hard and the labour of countless slaves and emancipated slaves were required. The palms needed careful planting and tending. The work involved planting the kernel of the dates from which shoots would grow. The seedling needed careful cultivation to grow properly and produce dates. It took three to five years before the pups were big enough to transplant, and then another three to five years before they began to produce. As the palm trees grew taller, the work got harder and riskier. Neither birds nor bees are attracted to the flowers of the date palm, pollination has to be carried out by hand. Pollen from the male tree had to be carried to the flower of the female tree by labourers. The labourer had to risk climbing the thorny, tall trees using ropes at a time when ladders or other assisting tools were not available. A labourer could only pollinate about 25-30 trees a day. Harvesting the ripe dates in the tenth and the eleventh months was another risky task. It needed a group of people to climb each tree; one at the top, one at the base and others along the length of the trunk. The number of people required for the task depended on the height of the tree as the ripe fruit needed very special care. Each person handed down the bunch of fruit carefully to the person below him, from the top of the tree right to the bottom.<sup>22</sup>

Similar jobs were also carried out by slaves in Fezzan. The peasant in Fezzan who cleaned palm trees and planted seeds were called *wapper*.<sup>23</sup> An interview conducted with one of the residents from a city in Fezzan whose ancestors were from

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<sup>20</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

<sup>21</sup> Marwan *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.112.

<sup>22</sup> Ibid, pp.132,136, 138

<sup>23</sup> Ahmida, *the Making of Modern Libya*. 71

*ashraf* revealed that the interviewee's family used to have many slaves who worked as domestic servants or at farms.<sup>24</sup> He stated that the reason slaves did all the manual labour in the area was because their masters believed themselves to be aristocratic clan and saw themselves as superior to the slave class. Thus all the hard work, such as collecting and bringing firewood to the house, irrigating and cultivating the land, must be done by the slaves, as it was shameful for them to perform such manual labour.<sup>25</sup> Although the claim that masters are *ashraf* is questionable, it is presumed that masters were originally *ashraf* or one of their ancestors. Similarly, it is assumed that the same reason applied to the residents of Ghadames, because both cities worked in the caravan trade and used to have lots of slaves who worked as servants, caravan workers and agricultural workers. For example, in Ghadames the natives are divided into four classes; the masters who belonged to the free people (*ahrar*) class saw themselves as superior to the slave class.<sup>26</sup>

The above narrative reveals how claims to *ashraf* status were reinforced through the economic use of slaves. Performing manual labour may have led to others questioning whether a merchant was entitled to identify as *ashraf*. While the deployment of slaves in the construction of social identities requires more oral history testimony to identify general patterns, the narrative definitely demonstrates that the price of slaves was low enough that *ashraf* labour could be replaced by slave labour. A *sharif* person or family forced to do manual labour because they could not afford slaves may have risked losing social status and power. Looking beyond the economic function of slaves reveals their significance for masters in terms of the latter's social positioning within Libyan society.

Travel accounts, court records in Tripoli and Ghadames and interviews show that the use of female slaves was common in Libya during the period of this study. However, their occupations varied. Some female slaves worked as servants while others worked as concubines, but in many cases they were used as both. The traveller, John Frances Lyon, who visited Fezzan in 1815, stated that the ruler of Fezzan al-Makni owned fifty concubines in addition to his wives, one of whom

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<sup>24</sup> *Ashraf* (sing. *sharif*) referred in this context to those who claim to be descendants of prophet Muhammad (the messenger of Allah)

<sup>25</sup> Interview with Salah, by Amal Al-Taleb, Tripoli, 16/4/2013. Tripoli. For similar view, see: 'Aqil al-Barbar, *Dirasat fi Tarikh Libya al-Hadiyt* (Malta: Elga, 1996), pp. 15-16.

<sup>26</sup> Dickson, 'A account of Ghadames', p.257. For a detailed discussion of class structure in Ghadames, see chapter four.



called Ziynwba who used to travel with him to the south.<sup>27</sup> Also, in 1845, James Richardson visited Ghat and pointed out the prevalence of master-slave sexual relationship in spite of having wives. He stated that a ruler called Ahmad owned many concubines in addition to his wives.<sup>28</sup> Similarly, Pasha of Fezzan, and the governor of Fezzan Muhammed ibn al-Sultan Manswir owned forty concubines.<sup>29</sup> Moreover, Yusuf was fond of acquiring concubines despite the fact that his house was full of women. His desire for women led him to borrow money from the British consul to whom his wives were forced to complain against him and asked that the latter stop lending him money.<sup>30</sup> Traditionally, merchants often had a wife and concubines wherever they travelled and stayed for long periods. For example, a huge number of Ghadames children were born in Timbuktu.<sup>31</sup> According to information received from Bashir Yusha', one of the merchants who witnessed Ghadames in the last days of the caravan trade, stated that most or perhaps all traders in Ghadames who founded their businesses in Sudan had concubines that they returned to, especially if the concubine bore the merchant a son. However if the master died in Sudan, some of concubines left their children to return back to their countries, while others travelled back with their children to live in their home countries, including Nigeria.<sup>32</sup>

Additional, Ghadamisi merchants travelled frequently between different markets of the north and south where they stayed for long periods of time, and purchased concubines for the purpose of concubinage.<sup>33</sup> Ghadames commercial documents and correspondents relate stories which confirm that slaves were used as concubines. As discussed in the introduction, the letter of Muhammad Bamtida requested a virgin concubine with a detailed description of her age, health and even physical features.<sup>34</sup> Another letter dated 1292/1875, sent from Emehemed ibn Ahmad al-Thani to Muhammad ibn Muhammad al-Sharif provides evidence of the

<sup>27</sup> Lyon, *Min Tarablus hatta Fezzan 1818-1820*, p. 48.

<sup>28</sup> Ahmad was shaykh (mystical or tribal leader), he worked alongside Sultan of Ghat. Richardson, *Tirhal fi al-Sahra*', pp. 325-326, 374.

<sup>29</sup> 'Yaumiyat al-Rhala Frederick Hornman min al-Qahira hatta Murzuq' in *Rihlatan 'Bra Libya*, trans. by Dar al-Firjani (Libya: Maktabat al-Firjani, 1974), pp. 134-135; Richardson, *Tirhal fi al-Sahra*', p. 326.

<sup>30</sup> Richardson, *Tirhal fi al-Sahra*', p. 500.

<sup>31</sup> Ibid, pp. 91,122. For a similar view in Wad Nun in Morocco, see: Lydon, *on Trans-Saharan Trails*, p. 348.

<sup>32</sup> Yusha', 'al-Raqiq fi Ghadames', p.33. Richardson; *Tirhal fi al-Sahra*', pp. 91, 122.

<sup>33</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.542.

<sup>34</sup> Yusha', *Watha'iq Ghadames*, vol, 1, doc. no. 56, pp. 124-125.

use of slaves in Ghadames. In the letter, he requested for two slaves: a male slave to be used as a servant, and a young beautiful female for his family's friend (al-Wahshi). It is unknown where the recipient lived but it is assumed that they were based in one of the commercial cities of Sudan, as the requests of goods shows. It is also assumed that the male slave might have been requested for domestic or farm work, as the information provided does not suffice, and the female slave was used as a concubine based on the request that she should be a young and beautiful slave.<sup>35</sup> Similarly, the records of the Tripoli court provide many examples which signify that slaves were commonly used as concubines in Libya during that time.<sup>36</sup>

Concubines also accompanied their masters on commercial trips for sexual intimacy.<sup>37</sup> For instance, Ahmad Qinaba, one of the predominant merchants who lived in Tripoli, practised trade between 1840 and 1885 with regions further south. He used to take his concubines on his journeys to Kano.<sup>38</sup> In his discussion of concubines, the traveller Arvin Bari witnessed the merchant Mustafa Zummit accompanied by two of his concubines on his trip: a white and a black partner.<sup>39</sup> The same was reported by the European woman Mabil Lumas Tudd, who witnessed in 1905 the arrival of a caravan that consisted of 250 camels to Tripoli. She described the arrival saying, "one or two of those camels were carrying a fast conserved (tent like) where women concubines were situated in isolation".<sup>40</sup> It can be assumed from this description that the concubines accompanied wealthy merchants who required sexual intimacy during long travels. For instance, the caravan journey from Lake Chad to Tripoli took approximately three months. Thus it would be plausible that the concubines were taken along by Qinaba and Zummit for sex. Western and Arabic historians have usually focused only on the economics of the caravan movement, but the above scenario shows that female slaves were also essential to caravan work. In essence, women were crucial at different stages of caravan trade as they were used as domestic servants and concubines.

<sup>35</sup> MLMDT (T), QWA, Collection of al-Thani Family, doc. no. 2582.

<sup>36</sup> For a detailed discussion of concubines in Tripoli and Ghadames, see chapter three.

<sup>37</sup> Mabil Lumas Tud, *Asrar Tarbulus* (Tripoli: Maktabat al-Firjani, 1968), p. 154.

<sup>38</sup> Interview with Ahmad Qinaba by Amal Altaieb, Tripoli, 15/8/2003.

<sup>39</sup> Arvin Bari, *al-Tabib al-'Almani Arvin Bari wa Rihlatih ila Bilad Ghat wa Bilad al-Air 1846-1877*, trans. by 'Imad al-Din Ghanim (Tripoli: Markaz Jihad al-Libiyin, 1995), p.150.

<sup>40</sup> Tud, *Asrar Tarbulus*, p. 154.

The use of domestic slaves as servants and for housekeeping by the wealthy families was a significant phenomenon in the city of Tripoli. Court records in Tripoli provide several cases which would prove the importance of house slaves in Tripoli. For instance, in 1852 there was a case involving a women who sued her husband for persecuting her, requesting him to provide her alimony, accommodation with decent people, and to offer her, like the rest of women of Tripoli, two female slaves to serve and help her carry out house chores she found hard to do herself.<sup>41</sup> This case shows that owning slaves for domestic purposes was limited and exclusive to women of aristocratic class or rich backgrounds due to its expensive nature. This case also proves that slave ownership was part of the bridal gift given to women of high class families which their husbands were obliged to offer. This obligation shows how slaves became essential items in the lives of high class families of Tripoli, and how they penetrated society by means of alimony. Thus slaves were an important element in the social and cultural life of Tripoli.

Court records in Tripoli further support the above claim. In 1254/1839, the marriage contract of the wealthy trader Hassan al-Faqih Hassan to his wife Zanuba bint Bait al-Mal stated that Hassan gave his wife a bride price of one hundred gold *mahbub*, seventy-five *mahbub islambuli*, fabrics and one female slave from Sudan.<sup>42</sup> Marriage contracts between members of high-ranking Tripoli families would not be signed if it were not clearly stated that a female slave would be given as a personal gift to the bride. This phenomenon was so widespread that even in the difficult times of divorce, a woman would not forget to request for her right to have a slave. For example, in 1268/1851, a divorcee's claim to the court stated that the alimony evaluated by her ex-husband was not enough for her expenses with her servant. She requested that her ex-husband increased her allowance. In response, the defendant gave her 15 *qrish* per month for her servant making a total of sixty five *qrish*.<sup>43</sup> In spite of the fact that the court records do not reveal how many children the ex-couples had, it clearly stated the expenses of servants per month. This case represents an entire group of women slaves who lived with families. The amount of

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<sup>41</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, p.48.

<sup>42</sup> MLMDT (T), QWA, *Milfat* [files] Ahmad al-Faqih Hassan, *al-Mu'amalat al-Tijariya* [Commercial Transactions], File number 24, doc. no. 229. For another example, see: MLMDT (T), QA, SMSTG, (1836-1838), p. 54.

<sup>43</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, p. 49.

15 *qrish* could also be assumed to be monthly wages paid to the servant, as it would have been considered a reasonable amount to give to slaves for such services.

Another dispute in the court records in Tripoli relates another story about domestic servants in Tripoli. On the 17<sup>th</sup> of January 1837, Muhammad ibn al-Hajj Muhammad's claim against al-Hajj Ahmad al-Zarruq stated that his client, a widow, Fatima bint Mustafa al-Khuja, was Ibrahim al-Shahumi's wife. Ibrahim al-Shahumi died in 1836 and his family inherited a lot of property, including cooking pots, fabrics and clothing. The case also stated that three slaves (with their weapons) and two female slaves (one old, one young) were inherited. The representative's request was that the defendant gives the widow her share of the estate inheritance.<sup>44</sup> It is not known if the deceased was from a notable or rich family in Tripoli. However, the type of properties he owned and ownership of five slaves might be an indication that this was the case. With regards to their occupation, it is assumed that the three males were used as Ibrahim al-Shahumi's bodyguards, and the two females were domestic servants in the house of the deceased person. These records reflect the importance of slaves as domestic servants and for sexual intimacy for notable and rich families in the city of Tripoli.

### **2.1.2 Caravan Workers**

This section is concerned with caravan workers and their roles. Merchant correspondence, interviews and Libyan historians revealed that the use of slaves as caravan workers and agents was common in Ghadames during the nineteenth century. This shows how a substantial minority of slaves became important due to their local knowledge. It also highlights the economic opportunities and attention they received due to their access to numerous goods.

Ghadames documents belonging to the al-Thani family suggest that the use of slaves and freed slaves as caravan workers, couriers and commissioners was common in Libya in the nineteenth century when the caravan trade was active.<sup>45</sup>

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<sup>44</sup> MLMDT (T), QA, SMSTG, No: 1388, p. 20.

<sup>45</sup> It states in the Collection of al-Thani family many of the slaves, worked as caravan workers for their masters such as Abandi, Sa'id, and Abuqabri. For the slave Abandi, see: MLMDT (T), QWA, Collection of al-Thani Family, doc. no. 403, 1463, 2319, 2321, 2324, 2425; For the slave Sa'id, see: Ibid, doc. no.577, 1617, 1430, 2422; For the slave Abuqabri, see: Ibid, doc.no. 2421, 2439, 2442,

Indeed, Marwan's research demonstrated that this was particularly common, with many Ghadames families involved in caravan trade using slaves as caravan workers or agents.<sup>46</sup> Financial accounts between masters and slaves were sometimes in thousands and millions of *qrish*. For instance, in 1298/1880 Emehemed ibn Ahmad al-Thani charged his slave Abuqabri for 47371,24 *mahbub* (826785 *qrish*), a significant amount. In his opinion, masters used their slaves as caravan workers due to the trust they placed in their slaves; they believed these slaves would not run away with their money. He presumably stated that this was because masters in Ghadames treated their slaves well, knew how to nurture their slaves from a young age, and taught them about the caravan trade.<sup>47</sup> He supported his argument with a statement from James Richardson's account from 1845:

Sitting close to me is a slave of a prominent trader in the oasis. His master often sends him like a freed merchant to do all of his commercial transactions. It is trust and sincerity from this slave to his master that he returns to his master each time by himself.<sup>48</sup>

Bashir Yusha' put forward a similar view in his unpublished article, 'al-Raqiq fi Ghadames'. Yusha' analyses three prominent traders in Ghadames who used their slaves as caravan workers. He discusses the business of al-Hajj Ahmad ibn Abubakr al-Thani, head of his family and a leading figure in the caravan trade. Trade documents show he had three sons and his wide commercial network operated in many regions of central and western Sudan.<sup>49</sup> Documents also confirm that he used his slaves - Shabri, Subw and Aidi - as caravan workers and agents. According to Yusha', the first account between Shabri and his master dated back to 1856. In 1875, Shabri sent commodities including 17 slaves to his master from Kano. Other correspondents also stated that they were partners and shared goods bought from Kano.

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1434, 1461. For similar view, see: Ghislaine Lydon, 'The Organization of Caravan Trade in Nineteenth and Twentieth Century Western Africa', in *Bridges Across the Sahara*, ed. by Ali Abdullatif Ahmida (Cambridge Scholars Publishing, 2009), pp. 44-45; Walz, 'Redeemed Lives in the Trans-Saharan', pp. 87-90.

<sup>46</sup> For a similar view, see: Lydon, *On Trans-Saharan Trails*, p. 348; Walz, 'Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century', p. 89.

<sup>47</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 547-548

<sup>48</sup> Richardson, *Tirhal fi al-Sahra*, p. 148.

<sup>49</sup> Yusha', 'al-Raqiq fi Ghadames', p. 21. For a similar view, see: Lydon, *on Trans-Saharan Trails*, p.233.

Analysis of these documents confirms that Shabri was indeed the agent for the commercial transactions owned by his master in Kano. It also shows that the slave (Shabri) worked for himself in the caravan trade, and shared commodities with his master that he sent from Kano. This confirms that although Shabri was enslaved, he still gained lots of money through the business, and thus had economic opportunities in the caravan trade via his access to goods.<sup>50</sup> Other documents indicated that Shabri was indeed trusted, not just by his master but by other inhabitants of Ghadames, Ghat and Tripoli.<sup>51</sup> This trust was evident from a document dated 1289/1872 which details the comprehensive service entrusted by Muhammad ibn al-Qasim ibn Abubakr al-Thani to Shabri to take over all his Sudanese affairs including selling and purchasing many commodities, handling court cases and being permitted to employ another agent if required.<sup>52</sup> This shows that Shabri had a good reputation with his master and traders, which in turn motivated other merchants to give him the commissions of their businesses. It is also striking that the agent had the permission to handle his master's court cases including testifying on his master's behalf in the court, which was allowed according to the Islamic law at the time. This also supports the assumption that the slave had knowledge about trading; this is the most probable reason he was entrusted with such comprehensive services.

Furthermore, undated documents reveal that Shabri was considered extremely knowledgeable about trade and market conditions compared to other traders in Ghadames. In a letter from Shabri, the slave asked his master to send traded commodities from Tripoli such as silk and hats, and advised him to go in person to Tripoli. In another letter, Shabri rebuked his former master for purchasing faulty goods:

Every year I remind you about the matter of silk, advising you to buy the best quality. How did you come to buy silks of such poor value that I could not sell them?... This infidel cheated you... all the commodities you bought from him, he cheated you.

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<sup>50</sup> For a similar view in which slave-owners often let their slaves undertake economic activities on their own and enjoy the profits, see: Cooper, 'Islam and Cultural Hegemony', p. 286.

<sup>51</sup> Yusha', 'al-Raqiq fi Ghadames', p.21.

<sup>52</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, doc. no. 93, p. 1027.

He continued to rebuke him, mentioning other bad traded commodities: “the man should be wise, make sure of the commodities and to ask people if unsure about the goods.” He wrote in a very striking manner that presented him as a superior rather than as an inferior. This provides further evidence of the relationship that existed between master and slave. The way Shabri wrote emphasised his knowledge, not his inferiority, in doing so elucidating possible ties that could have existed for slaves. At the end of the letter, he concludes:

This is my reply; take it with you when you travel to Tripoli. It is like a guide to help you when you buy. It is up to you if you wish to take my advice; you are the owner of the money. I am just the seller of your goods.<sup>53</sup>

This long letter indicates that the slave had high self-confidence, and also shows the two men’s close relationship. Therefore, this indicates that slaves often had reputable knowledge about trading, and this was one reason they were trusted by their masters. In addition to their caravan trade knowledge, many slaves were also literate. Evidences from Ghadames’ archive and oral interviews reveals that slaves had the ability to read and write as they wrote correspondence letters for and to their masters.<sup>54</sup> In the word of Ghislaine Lydon:

Language skills were professional requirements for itinerant traders and especially for diaspora merchants acting as cross-cultural brokers to incoming network members. Access to local language was necessary for basic communication in market and to develop an understanding of local culture.<sup>55</sup>

Marwan argues that this is because the majority of slaves were brought to Ghadames between the ages of three and ten, and merchants used to send their slave’s children along with their children to religious schools (*katatiyb*) to learn to read, write and memorize the verses of the Qu’ran.<sup>56</sup> For example, in an undated letter sent from Muhammad ibn ‘Amar to Muhammad Hiyda, the latter was informed that his slave gave birth to a boy, and was praying to God that his slave would memorise the Qu’ran. In another letter dated 1868 from Emehemd al-Thani to his slave, Abandi

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<sup>53</sup> Yusha‘, ‘al-Raqiq fi Ghadames’, pp. 22-23

<sup>54</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

<sup>55</sup> Laydon, *on Trans-Saharan Trail*, p. 347.

<sup>56</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, p. 54. Richardson, *Tirhal fi al-Sahra*’ p. 152. Cf. Hall, ‘How Slaves used Islam’, pp. 283-284.

asked him to send all his children to Ghadames. He informed him that he wanted his slave's children to have the same upbringing as their children. Analysis of these documents shows that masters in Ghadames considered their slaves as members of the household, and a relatively high degree of intimacy existed within this relationship.<sup>57</sup> However, it may be questioned whether there were any ulterior motives on the part of the master, such as investing in the slaves' children for future use as slaves.

Similarly, an interview conducted with an elderly artisan in Tripoli stated that translation or interpretation was one of the primary occupations of slaves who lived in the city. He stated that many slaves brought to Tripoli had no knowledge about Libyan language, so it was the job of other slaves who lived there to translate until they learnt enough to work for their intended masters.<sup>58</sup> It is assumed that the experience of slaves in their countries and the local knowledge they possessed also contributed to masters' trust in their slaves. Some slaves arrived in Ghadames as young teenagers, and therefore knew other African languages. The use of these bilingual or perhaps multilingual slaves as caravan workers by Ghadamisi merchants helped the masters purchase the required goods more efficiently.

Commercial documents in Ghadames also indicate that slaves had economic opportunities to work for themselves as caravan workers.<sup>59</sup> Undated correspondence between Farj, slave of al-Hajj Emehemed ibn 'Ali al-Thani, and Musa, a slave of al-Hajj Emehemed ibn Ali al-Thani, related that the two slaves worked for themselves in the caravan trade. The author, Farj, informed Musa that his goods (feathers, henna and cotton) had arrived in Ghadames when he was planning to travel to Mizda, but that he had entrusted his master to deliver his commodities. After he returned from Mizda, Farj collected the goods from his master, managed to sell the henna but not the cotton. He sent the feathers to the markets in Tripoli. At the end of the letter, Farj blamed Musa and stated that, "this is the third time you sent goods to yourself whereas you did not send to me anything... Buy feathers from my money that is with

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<sup>57</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p. 541.

<sup>58</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013.

<sup>59</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p. 551.



you and send them to me with your commodities next time’’.<sup>60</sup> The type of commodities sold suggests that Musa must have resided in a commercial city somewhere in the south of Sahara while the correspondent resided in Ghadames (as stated in the document). It is also clear from this source that the two slaves had sent goods on many occasions. Although the letter does not indicate the amount of money that the slaves used in the caravan trade compared to free people in Ghadames, it does indicate a degree of economic freedom to gain money. It is thought that work opportunities given to slaves by their masters were incentives for the slaves to engage in profitable commerce. This ideology is also based on Islamic law, which decrees masters must treat their slaves as human beings with kindness, otherwise they would be humiliated in the afterlife.<sup>61</sup> In an interview in Ghadames, on the subject of the use of slaves as caravan workers, Ahmad stated that many slaves who resided in Ghadames had opportunities to improve their economic status. This occurred mostly when masters were extremely generous with their slaves. Thus, some slaves could have a better financial situation than some of the free-born residents.<sup>62</sup>

### **2.1.3 Slave Demography in Libya**

This section looks at the number of slaves owned by masters in Tripoli, Ghadames, and Fezzan, as well as the types of services they provided. As stated earlier, there are limited documentary records and census information that indicates how many slaves resided within the Libyan society. However, traveller’s diaries and the interviews conducted with some people in Ghadames may show primary data about their numbers in Libyan families. In an interview conducted with a retired 92-year-old man who belonged to a well-known family in Tripoli, he stated that the number of slaves depended on the economic status of the family. He mentioned three famous families like Qurji, al-Qalhud, and al-Shakshwki who possessed such large number of slaves that the families had to assign them a house called *hwsh al-‘abid* (slave’s house).<sup>63</sup> Possession of such a number of slaves did not only reflect the need for

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<sup>60</sup> Marwan, *al- Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, doc .no. 86, p. 1011.

<sup>61</sup> Sikainga, ‘The Shari‘a Court ’, p. 6.

<sup>62</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

<sup>63</sup> *Hwsh* (plur. *hyash* ) means house.

those slaves, but was also a means of displaying the wealth and status of the family. The number of slaves correlated positively with the economic status of the family, and as such most families in society's middle strata had only one or two slaves.<sup>64</sup>

An indication of the number of slaves in central Tripoli can be obtained from legislative court records. One will dated Rajab 1318 (October 1900) belonged to the widow Fatima bint Yusuf ibn 'Abdullah. Fatima was the wife of Mas'ud an emancipated slave of Mustafa Qurji, from the wealthy Tripoli. According to the will, Fatima's possessions were to be given to Sidi Bughrara; one of the *Sufi* religious schools (*zawayya*) that provided accommodation and food for local and foreign students at the school. Her possessions, which had been obtained from her late husband, were a room and a store located at *hwsh al-'abid* (slaves' house) in the Kwshit al-Saffar neighbourhood.<sup>65</sup> Although the testator was emancipated, the will indicated that her title of *'abid* (slaves) was still associated to the slaves residence owned by her former master (*'abid Qurji*). It is assumed that that the house ceased to belong to the slaves of Qurji at the time of the will but the title "the house of Qurji's slaves" still exist till date. This supports the assumption that some wealthy families have considerable number of slaves that they accommodated in a large court (*hwsh al-'abid*).

According to an initial study of ancient historical houses in Tripoli, the Qurji family was one of the seven wealthy families that lived on the main street of the old city. This study correlates with the statements of a Libyan historical researcher who is involved in the study of historical houses in the city, Khulad al-Ghalali, who stated that wealthy families had houses specifically for their slaves (*hyash al-'abid*) before the slave trade was forbidden. However, after slavery was abolished these houses, which were usually attached to the master's house, were called (*hyash al-khuddam*). One such house belonged to al-Makni, who was so rich that he had a steam bath (*hamam*) attached to his home which he entered through the servants' house.<sup>66</sup>

In a field visit to the old city of Tripoli, a guide (Khulad) showed me a house which belonged to one of the wealthy families, the "Bait al-Mal" family, situated in

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<sup>64</sup> Interview with Zarruq, by Amal Altaieb, Tripoli, 17/4/2013.

<sup>65</sup> MLMDT (T), QA, SMSTG, No. 1146, starts from 23-Jumada al-Awwal-1318 (18-September-1900) to 1-Ragab-1321 (23-September-1903), p.22.

<sup>66</sup> Interview with Khulad al-Ghalali, by Amal Altaieb, Tripoli, 13/4/2013.

Sidi 'Umura road; this road contained the houses of the elite. The "Bait al-Mal" house linked to the road of "Jama' al-Drujj", and there was a small lane between the two roads where the servants lived. In a similar fashion, the servants' houses were attached to the family's house, and had a door to the main road. Other middle-class families who could not afford houses for their slaves had rooms inside their homes that they allocated to servants. Thus the slaves and servants of the elite and powerful families had their own houses that were attached to their master's houses for quick and easy access.<sup>67</sup>

Miss Richard Tully described the house of the Qaramanli family in Tripoli. In her letters, she said that the house was packed with servants, and women of the palace went out late in the evening accompanied by many guards and black female servants.<sup>68</sup> In another letter, she described a house which belonged to a notable individual in Tripoli. 'Abd al-Rahman's wife had three black female slaves who helped to hold and stretch her burqan made of fine mesh fabric. They also washed her hands and feet.<sup>69</sup> She described in details the jobs of the female servants saying:

They did everything that is essential for the house and the female master was always supervising them especially when they arranged the pots, pieces in the kitchen and the beddings. Meanwhile there were some female slaves who served the lady during her supervision; for example the female slaves would fan the lady to move away anything such as flies that might disrupt her supervision. The lady might also lean on the shoulder of one or even two of her slaves while wandering around supervising the work of the servants. The purpose of supervision was to prevent any betrayal by the servant when preparing the master's food. Slaves also had to dance and sing to entertain the lady.<sup>70</sup>

With regards to the elite of Tripoli, Miss Richard Tully mentioned that they used to meet in the cafes at the bazaar at a particular time during the day to talk about everyday life, news and public affairs. Standing beside them were their slaves offering coffee. One was holding the master's pipe, the other held his cup of coffee,

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<sup>67</sup> Interview with Khulad al-Ghalali, by Amal Altaieb, Tripoli, 13/4/2013.

<sup>68</sup> Tully, *'Ashar Sanawat fi Balat Tarbulas*, p. 58.

<sup>69</sup> Ibid, p. 241.

<sup>70</sup> Ibid, pp.245-246.

and the third held his handkerchief while the master talked with his hands freely waving them up and down (an important gesture when engaging in conversation).<sup>71</sup>

The traveller Lyon, who visited Fezzan in 1818, said that a substantial number of slaves accompanied the Sultan's sons wherever they went. Slaves were usually picked to be the same age as their masters, so they played with them, bullied them and beat them with no reason whatsoever.<sup>72</sup> Gerhard Rohlfs' statement on his visit to Ghadames in 1865 also indicates the significant number of slaves who lived with the elite and ruling families in Ghadames. One of the common customs in North Africa was that each individual surrounded himself with a number of servants. The number increased within the notable Turkish and Arabic families. Rohlfs also stated that each Pasha, effendi, bik and rich family possessed more than thirty slaves with different roles. Some made coffee, some served the coffee, some servants prepared the bath for the master, some offered the wash basin and others provided the towels and so on.<sup>73</sup>

Inheritance cases in the Court of Ghadames provide an example of the number of enslaved workers owned by one well-known family in Ghadames. The inventory of the legacy of Muhammad ibn al-Shaykh Qasim al-Ghadamisi (dated 1300/1882) mentioned a group of slaves who were sold by broker. Three of them were female slaves and employed as domestic servants: one, al-Khir, was sold at 1800 *qrish* (90 *mahbub*); the second, named Tardi, was sold at 1200 *qrish* (60 *mahbub*); while the third, whose name is unknown, was sold at 1590 *qrish* (97.5 *mahbub*). The inheritance also stated another five male slaves, four of whom were bought by the deceased master for the purpose of selling with the last male slave called al-Khir, employed as a commercial agent and obtained at the highest price of 2010 *qrish*.<sup>74</sup> This inventory thus shows that the deceased master possessed eight slaves, three of whom worked at his house as domestic servants at very high prices between 60 and 90 *mahbub*. Due to the price, it is assumed that they were skilled slaves because they lived with the family of their master for a long time. As with the commercial agent whose price was the highest, it is assumed that he was also definitely a skilled slave

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<sup>71</sup> Tully, *'Ashar Sanawat fi Balat Tarbulas*, p. 62.

<sup>72</sup> Lyon, *Min Tarablus hatta Fezzan*, p. 139

<sup>73</sup> Rohlfs, *Rihla 'Bra Africa*, p. 257.

<sup>74</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p. 323.

with caravan trade experience. This case shows that other prominent families of Ghadames would have owned a number of slaves.

#### **2.1.4 Rental of Slaves**

This section focuses on the rental of slaves in Tripoli and Ghadames during the nineteenth century. It highlights how masters rented their slaves for financial gain. It examines what category of slaves were rented, and whether they were in fact independent workers who earned some income for their master by the services they provided?

There are several recorded disputes between business partners that reveal the practice of renting or leasing slaves. For example, in 1854 a claim was brought against Hajj ‘Ali ibn Ghazal by the heirs of al-Hajj Sluymman al-Azariq. Slaves originally owned by the latter were bought with a quarter of a boat. The boat and slaves were rented to the defendant (‘Ali ibn Ghazal) from 1813 to 1820 for sea voyages between Alexandria and Istanbul - the defendant paid for this rental. However, when al-Hajj Sluymman al-Azariq died, the defendant sold the boat without any arrangements with the deceased family, as a result of which the heirs demanded the sale price from the defendant.<sup>75</sup> Although this dispute narrates issues related to debts, it also provides valuable information about the rental of slaves. It suggests that the deceased party was rich enough to invest outside of his home country but also begs the question, did he rent out to acquire more fortune or just because he could afford to do so? Based on the voyage route, it is assumed that the slaves worked as porters on the boat for seven years, throughout which the master got paid, thus they were akin to independent workers for the master.

As with male slaves, female slaves also provided services to earn money for their masters. This is evident from the case between Maruma bint Hassan Bey against her agent, Shaykh ‘Umar al-Hawil, who resided in Benghazi. The case was established on the 26<sup>th</sup> of December 1840 for breach of contract. Records showed that in 1828 the claimant gave the defendant ten cows, ten camels, a tent, sixteen plow agriculture, a donkey, 120 kilos of barley, and a female slave to plough her

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<sup>75</sup> MLMDT (T), QA, SMSTG, No.1388, p. 157.

land. In 1831, she received 50 *himl* of barley and 12 *himl* of wheat, and in 1832, 150 *himl* of barley and 50 *himl* of wheat. During the next eight years between 1832 and 1840, the claimant did not receive anything. Due to this breach, the complainant demanded her share capital and profit.<sup>76</sup> Similar to the previous case, the female slave was part of the business deal between the claimant and the defendant. Although there is no definitive evidence, it could be assumed from the details of report that she might have worked in the plantation sector for 12 years, planting or cultivating.

Slave rental was not limited to Tripoli but extended to the caravan trade in Ghadames. In a commercial document dated 4<sup>th</sup> of December 1897, Muhammad ibn Ahmad informed Ahmad ibn Hamwid al-Ghadamsi that his slave called '*abd*' arrived with three of skins (leathers) which contained fifty seven *ratl* of white and black ostrich feathers.<sup>77</sup> Also included in the letter were the prices of the goods and the cost of renting a slave for 3820 *qrish*.<sup>78</sup> It is obvious from the letter that Ahmad ibn Hamwid al-Ghadamsi used his slave as caravan worker. Although the information is inadequate to ascertain where the sender and recipients resided, it could be assumed, based on the type and availability of the commodities sent, that the former resided in Ghadames while the latter lived in the commercial city of Sudan. It can also be assumed that the slave, who was priced at 3280 *qrish*, was owned by Muhammad ibn Ahmad, who intended the slave for porter services. Slaves would often be used to carry goods such as the *himl* to their destination. The price of 3820 *qrish* indicates that slave rental was a viable business in comparison to the other employment. Similar views were presented by Marwan, who indicated that one of the artisans of the slaves inside the city of Ghadames carried commodities on their back.<sup>79</sup> Thus, in this case, the slave would have carried fifty seven *ratil* of white and black ostrich feathers which weighed 38 kilogram. The price of 3820 *qrish* could therefore have been the payment his master received for his services.

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<sup>76</sup> MLMDT (T), QA, SMSTG, No.13 (1836-1853) p. 124

<sup>77</sup> *Ratl* (pl.*artal*) was one of scales used to weigh commercial goods, every *ratl* equals to 500 grams. Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 238-239.

<sup>78</sup> Ibid, doc .no.13, pp. 862-863. For a similar view, see: Fisher and fisher, *Slavery and Muslim Society in Africa*, p. 120.

<sup>79</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.172.

### 2.1.5 Wet Nursing

The use of female slaves as breastfeeding maids was not uncommon. Several cases concerning the rental of female slaves for suckling were recorded in the oldest record of the Tripoli court. One such case occurred on the 4<sup>th</sup> of August 1727, brought by al-Hajj Muhammad ibn Hussin Jubran against Fatima, whom he lent a female slave to suckle her daughter. However, the defendant did not return the slave, instead claiming that she bought the slave at 120 *riyal duro*.<sup>80</sup> We do not know if the master rented the slave or not, but if he did so, it is assumed that he lent her in exchange for a sum of money. It was unlikely that the slave had been obtained for sexual purposes, as there was an unspoken custom that masters would not have sexual intimacy with wet nurses.

Likewise, the memoirs of Hassan al-Faqih narrate the story of a female slave rented out in Tripoli. On the 3rd of August 1828, Hassan stated that he bought an enslaved wet nurse from Muhammad Babuss al-Jabali for *lilla* Minaniy, one of the most powerful women associated with the Qaramanli ruler in Libya.<sup>81</sup> The available evidence does not provide any more detail on whether the female slave was sold for the purpose of breastfeeding the children of the ruling Qaramanli, but it is assumed that she was used for domestic purposes, specifically breast feeding. It is more befitting that the ruling family would buy rather than rent a female slave. Yet there were other masters who rented their female slaves for the same purpose, and they could gain a lot of profit from such a service.

Similarly, interviewees stated that it was common in Ghadames to rent female slaves for the purpose of breastfeeding children. Many slaves were surrogate mothers of many freed people in Ghadames. It was also stated that female slaves in Ghadames were proud of this service, and felt that their suckled sons had a duty to visit them often. The interviewer related a story of a free man who was blamed for not standing in consolation for a deceased. The former was breastfed by the deceased who was a freed female slave and had no family or heirs at the time of her death. As was the tradition at the time, people would stand in line to offer their condolences to the male of the deceased family. For this reason the free man was compelled to

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<sup>80</sup> MLMDT (T), QA, SMSTG, No.133, starts from 29-July-1822 to 4-August-1822, p. 460.

<sup>81</sup> *Lilla* is a term for a woman of high-ranking families, meaning 'the lady'; Hassan, *al-Yaumiyyat al-Libiya*, p. 394.

mourn when reminded that the deceased had breastfed him. This demonstrates the social importance of this occupation amongst the citizens of Ghadames. However, in spite of the fact that breastfeeding by slaves was common, this occupation also caused problems in Ghadames society, such as marriage ceremonies being cancelled because both bride and groom were breastfed by the same slave woman.<sup>82</sup>

## **2.2 Resistance**

### **2.2.1 Runaway of Slaves**

Running away was a common method adopted by slaves against enslavement. It signified a resistance to work for a particular master or exchange of masters rather than for freedom.<sup>83</sup> This section analyses three volumes of court recordings from the first half of the nineteenth century when slave trade was an open, acceptable and legal business.<sup>84</sup> Only four cases with reliable dates have been found which include evidence about slaves, their masters, where they went, and who harboured or protected them. Additional information that would have enhanced the soundness of this research, such as the age and occupation of the slave, was not considered important and hence not reported in the four cases investigated. The same problem occurs when we account for the number of slaves by using the court records in chapter four. Nonetheless, it is certain that slave claims were not uncommon in the court of Tripoli, and many others would have been settled out of court. In fact, it has been recorded that sometimes the court received cases that could not be solved, hence the slave could not be returned to the master who claimed ownership.

The court records studied here concerned masters who put forward claims against their slaves in 1832, 1834, 1836 and 1837, all when the slave trade was legal. In spite of the limited information, it is often possible to ascertain the name, sex and date the slaves were first advertised missing, thus enhancing the understanding of the scenario associated to the runaway slave. The first case took place in Misurata, some distance away from Tripoli. The male slave called Sa'id had disappeared taking a

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<sup>82</sup> Interviews with Ahmad, by Amal Altaieb, Ghadames, 15, 17 and 18 /7/2011.

<sup>83</sup> Michael Craton, *Testing the Chains: Resistance to Slavery in the British West Indies* (Ithaca N.Y: Cornell University Press Cornell, 1982); Gad Heuman, 'Runaway Slaves in Nineteenth-Century Barbados', *Slavery & Abolition*, 6 (1985). pp. 95-111.

<sup>84</sup> MLMDT (T), QA, SMSTG, No.133; No.1388; No.1011.



work donkey in 1832. After three years his master Salah ibn Salim al-Fituri found him with al-Hajj Ahmad al-Azriq, who bought him for 40 *riyal*. When Salah ibn Salim al-Fituri informally asked al-Hajj Ahmad al-Azriq about his slave, Ahmad escaped without a response. In 1836, Salah ibn Salim al-Fituri took his claim to the court, but was unsuccessful in retaining his slave because the defendant Ahmad al-Azriq denied any knowledge of the slave's whereabouts.<sup>85</sup> There are several gaps in this dispute. First, how did the slave get to Misurata, how old was he, and how did Salah ibn Salim al-Fituri know that Said was sold for 40 *riyal*? There is nothing to suggest that the slave ran away or was kidnapped from Tripoli and sold to another master. No information was also given about his age or his occupation, although, it could be deduced that the male slave was young and had economic values (as a skilled worker) to both the complainant and the defendant, and that he probably worked in the plantation sector because he went missing with a farm donkey. This could also suggest why the master still searched for him after three years. Secondly, in what capacity did Said work for al-Hajj Ahmad al-Azriq and why was Said's initial master unable to provide witnesses to prove his ownership and facilitate the return of the slave?

The second case, which occurred on the 6<sup>th</sup> of December 1836, was brought by al-Usta Yahya ibn al-Usta al-Najar who had a court claim against Emehemed Tahir Pasha. The report stated that the former bought a male slave called Mas'ud in 1832 from the city of Jerba in Tunisia, at a price of fifty-two *duro*. In the same year he sent him with al-Rais Abubakr Abughalya to work on board his vessel. After three years, in 1835, the slave fled before the boat went out from Tripoli to Misurata. Six months later, his first master found him with Emehemed Tahir Pasha. The former took his claims to court against Muhammad Tahir Pasha and provided two witnesses who bore witness that he owned the slave until he escaped.<sup>86</sup> Mas'ud began his enslavement in the slave market in Tunisia before being rented out to work on the boat. As with the first case, this dispute gives inadequate information about the age of the slave and his occupation. In addition, there was no data about what caused the slave to flee. It was not recorded whether the second master was ordered to return the slave to the first master after the court claim response. Mas'ud may have been

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<sup>85</sup> MLMDT (T), QA, SMSTG, No. 1388, p.23.

<sup>86</sup> Ibid, p. 29.

employed as a young porter for goods exported between Tripoli and Misurata, through which the master received a significant income for three years. The fact that the case was disputed in court further proves the importance of a skilled slave. Another deduction that could be made is that the second master was in the position to treat the slave better since he came from an elite family in Tripoli as his surname, Pasha, suggests.

Both these cases suggest that the slave flight was not necessarily about freedom, but more about an exchange of owners. Regardless of the fact that it is unclear how the slaves got to their second masters, who sold them or under what conditions they worked, it is my opinion that the slaves ran away to seek better treatment with other masters who would take better care of them (as indicated by the evidence above).

The third case studied in this section occurred in 1837. The agent of ‘Abd al-Hafiz ibn Muhammad al-Tumiy brought a court claim against Hajj Muhammad al-Qammudiy. The agent stated that ‘Abd al-Hafiz’s slave (called Barka) fled after conflict between the members of al-Qaramanli family in Tripoli. The slave was caught by Muhammad Samirat, who asked his master (‘Abd al-Hafiz) for a ransom for the return of the slave. However, the defendant was summoned to court because he claimed that he left the slave with his brother when he went to collect the reward (‘Abd al-Hafiz), but when he returned the slave had ran away. The defendant also brought one witness to the court who testified to this.<sup>87</sup> Again, the evidence does not reveal how old the slave was, what job he did and why he ran away a second time. However, I assume that the slave was young and economically useful, hence the owner agreeing to pay a fee to the person who found him. The slave fled during struggles within al-Qaramanli family which perhaps resulted in less surveillance and policing of the enslaved in Tripoli at that time.

The fourth dispute in the court records of Tripoli occurred in 1837 between Khalifa al-Fasatwi and Murad Kikhiya (Treasury judge). The former stated that he lost a male slave from Sudan called Barka, whom he described as *Abiq*<sup>88</sup> He found him with al-Sharif ‘Ali ‘Abdullah al-Salim, who stated that he bought him from Murad Kikhiya. The defendant claimed that he found the slave five months after he

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<sup>87</sup> MLMDT (T), QA, SMSTG, No. 1388, p.122.

<sup>88</sup> *Abiq*: means a slave who fled or runaway, and did not obey his master. For a similar case in Morocco, see: Ennaji, *Serving the Master*, p. 44.

escaped from his master and he kept him for a while under the hope that a master would come to claim ownership. When no one made such claims he sold the slave to al-Sharif ‘Ali ‘Abdullah al-Salim for twenty-five *mahbub*.<sup>89</sup> There are various intriguing indications about the slave cited in this dispute, such as his country of birth and that he disobeyed his master. This is an indication that the slave ran away to resist enslavement. At the very least, it was a denial of labour to a particular master. It is clear from the evidence that the slaves who ran away were males. It is also likely that owners would have been more eager to get back their slaves because of their capabilities and economic value. As for the reasons these slaves ran away, interviews conducted in Ghadames stated that many slaves fled because their masters treated them poorly. Although this was widely reported, there was no definitive account of runaway slaves in any of the cases. This could have been due to the fact that Ghadames was a city in the desert with a smaller populations in comparison to Tripoli, a city where slaves had more opportunities to escape to neighbouring cities and countries.

These cases are exceptional; nonetheless, they provide a historical record which charts the actions of some slaves. Moreover, these cases represent an entire group of male slaves who used flight to negotiate slavery under similar conditions. They also reveal the fate of the slaves if they were located by their previous masters with proof of ownership. At the very least, fleeing was one way for a slave to abandon their owners and seek a master that would provide better care for them.

### **2.2.2 Theft by Slaves**

Analysis of court records discussing slaves tried for theft in Ghadames and Tripoli reveals the extent to which slaves had their own economic life. The first case occurred on the 8<sup>th</sup> of May 1850 between two brothers ‘Ali and Muhammad, sons of Ibrahim Qidara. Ali’s claim was against his brother’s slave, who stole a silk robe and two cloaks from his shop twenty days before the court proceedings. According to the report, Ali informed his brother of the theft and as a result Muhammad kept a watchful eye on his slave until he was caught red-handed. Upon the incident, the slave admitted the thefts to his master and informed him that the stolen items were with a servant named Khadija, with whom some of the items were found. The

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<sup>89</sup> MLMDT (T), QA, SMSTG, No.1011, p. 63.

complainant asked the defendant (owner of the slave, his brother) to give him the rest of the stolen items.<sup>90</sup>

Even though we do not know the details of what happened between the brothers, it is clear that there was a problem. Generally, court cases indicate the severity of a problem; an ordinary situation would have been resolved out of court by the brothers. Thus the case suggests that there might have been a case of bad behaviour. It is unknown whether the judge decided that Muhammad paid for the stolen items. However, according to Islamic law, *'urf* (customary law), and *'ada* (local tradition), the owner is responsible for the protection of his slave, and if a slave were to commit a crime such as theft or murder, his master was morally and legally obligated before the community to pay the associated fines demanded by custom or law. It is my assumption that the complainant had to prove his case through witnesses upon which, if found to be true, the judge would have forced the slave's owner to pay the value of the stolen items. This case provides an example of how the court dealt with robberies carried out by slaves during the period of study.

This case also reveals that two slaves committed the crime, thus raising the question whether the need for money was the motive for the theft. Although it is known that a master is legally and customarily obliged to provide food and shelter for his slaves, it is not clear whether this occurred between Muhammed and his slave. It can be assumed that the items were of high value and that the slaves sold some of the stolen items, either to get some extra money or to get rid of them before they were found. Thus the theft could have been done solely to obtain cash and thus gain some form of economic independence. Marwan also reported a similar case in Ghadames. It occurred in 1884, with the verdict being that the defendant (master) should pay the complainant for the value of the stolen item. However, there was no information about the identities of the defendant, complainant and slaves, or about the relationships between them (if there were any).<sup>91</sup>

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<sup>90</sup> MLMDT (T), QA, SMSTG, No.1021, 1266-1267 (1850-1851), p. 40. For a similar case in Egypt, see: Hilal, *al-Raqiq fi Misr*, pp. 223-224.

<sup>91</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.556. A different situation seems to have prevailed in Egypt and Turkey, Hilal and Toledano provide many cases of theft by slaves in Cairo and Istanbul in which judges decided to put the slaves in the prison. Hilal, *al-Raqiq fi Misr*, pp. 223-224; Ehud R Toledano, *As If Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven, CT; London, Yale University Press, 2007), pp. 156-166.

Marwan attributed the lack of thefts in Ghadames to the religious faith of the enslaved. He suggested that this was due to the behaviour of the masters towards their slaves. However, it is my opinion that there might have been other unreported theft and crimes that occurred in Ghadames that might have been solved out of court. It cannot be generalized that all masters were kind to their slaves. This is further proven by the interviews with one of the prominent merchants in Ghadames, in which he stated that the reason for the emancipation of slaves was bad behaviour of slaves, such as committing thefts. For that reason the slaves were called '*skir susa* (bad boys), meaning that they were a liability to their masters. Especially since slaveholders in Ghadames and Tripoli were morally and legally obligated within their community for the maintenance of their slaves.<sup>92</sup>

These cases discussed here paint a picture of slaves as possessing a degree of independence. It also tells us about the ways in which masters were legally responsible for their slaves, and that they were responsible under some circumstances for their criminal conduct.

### **2.3 Master-Slave Relations**

The third section of this chapter looks at social relationships between masters and slaves in Tripoli, Fezzan and Ghadames. It analyses slave regulation as a means of incorporating people into Libyan society. It follows scholars such as Frederick Cooper to consider that the regulation of the master's power over his slave(s) was the key part of the stability of the system.<sup>93</sup> It will explore the extent to which these master-slave relationships varied, how this affected the social lives of the enslaved, and the extent to which slaves were able to use access to Islamic courts to protect themselves.

This section engages in a comparative analysis of the interactions and obligations of a master to his slave, in Tripoli, Fezzan and Ghadames. The most significant finding will not be the question of whether masters were kind to their slaves, but what were the practices that qualified a master to be seen by their contemporaries as a good owner. Evidence gathered for this research, via fourteen

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<sup>92</sup> Interview with al-Hajj Ramadan, by Amal Altaleb, Tripoli, 30/7/2011.

<sup>93</sup> Cooper, 'Islam and Cultural Hegemony', pp. 271-300.

interviews, will suggest a distinction in masters and slave's social relationships between Tripoli, Fezzan and Ghadames. It shows that some relationships involved patronage and close social relationships between Libyan masters and their slaves, whereas others included abuse and violence.

As stated in the introduction to this thesis, most scholars are in agreement that slavery in the Islamic world was less violent and slaves were better treated in comparison with the West.<sup>94</sup> Domestic slaves were considered as members of the household and a relatively high degree of intimacy existed between them and their masters. In the word of Ehud:

In the Islamic legal term, slavery grants one person ownership over another person, which means that the owner has rights to have the slave's labour, property, and the slave's freedom are severely restricted. But in sociocultural terms, slavery sometimes meant high social status or political power when applied to male slaves in the military, and to female slaves in elite harems. Even ordinary domestic slave were often better fed, clothed, and protected than free men and women.<sup>95</sup>

On the other hand, scholars such as Ennaji, Zilfi, Lydon and El Hamel challenged this view, and stated that these arguments about benevolent master-slave relationships need deeper analysis. Using evidence about legal practices, the social lives of slaves, and the relationship between slaves and masters they show the coercive nature of slavery in the Middle East and North Africa.<sup>96</sup>

From another view point Frederick Cooper stated in 'Islam and Cultural Hegemony' that, in many ways, Islamic law strengthens the institution of slavery by limiting masters' power.<sup>97</sup> Ideally, the masters could only do what the law permitted, and thus the slaves saw Islamic law as being protective for them and they turned to it to readdress their grievances. In contrast to Cooper's theoretical view of the Islamic

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<sup>94</sup> Fisher and Fisher, *Slavery and Muslim Society*; Toledano, *The Ottoman Slave Trade and its Suppression*; Lewis, *Race and Slavery in the Middle East*; Wright, *The Trans-Saharan Slave Trade*; Hunwick, 'Black Slavery in the Mediterranean World'; Hunwick and Powell, *The African Diaspora in the Mediterranean Muslim World*; Walz, 'Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century', pp.79-110; Walz, 'Sudanese, Habasha, Takarna, and Barabira: Trans-Saharan Africans in Cairo as Shown in the 1848 Census', pp. 43-76.

<sup>95</sup> Toledano, *Slavery and Abolition in the Middle East*, p. 4.

<sup>96</sup> Ennaji, *Serving the Master*; Dror Ze'evi, 'Women and slavery in the Late Ottoman Empire by Madeline Zilfi', *American historical Review*, 116 (2011), p.905; Lydon, 'Islamic Legal'; El Hamel, *Black Morocco*.

<sup>97</sup> Cooper, 'Islam and Cultural Hegemony', pp. 271-307.

law, I interviewed individuals from many of the slaves' families. Oral history reveals how wealthy families imagined themselves to be good masters of their slaves, and how they criticized other slave owners for failing to follow Islamic law or customary practice.

Court records and Ghadames documents provide a variety of exceptional cases, such as stories from masters that discuss their relationships with slaves. The aim of this section is to investigate the moral obligation of a master to his slave and the factors that defined or determined the kindness of the former to the latter. Emphasis will also be given to how slaves were recorded and remembered; this section will provide comparisons of slave treatment in Tripoli and other Libyan cities, such as Ghadames and Fezzan. The fourteen interviews discussed here will suggest that there were differences in social relationships between masters and slaves in Tripoli, Ghadames and Fezzan. Informants in Tripoli related stories suggesting strong and enduring relationships between masters and slaves. Tripoli slave owners represented themselves as better masters than those in other parts of Libya, and this resonated as a recurrent claim in the interviews conducted. This contrasted to Ghadames, where interviewees were reluctant to give the researcher information about the treatment of slaves, citizens of Tripoli were more willing to talk about their treatment of slaves. Factors such as slaves' surnames, the continued existence of a good relationship between slaves and their masters after emancipation, and the inheritance of a master's wealth by his slaves as stipulated in wills, are seen by the people of Tripoli as behaviour that defined masters as 'good'. Several of the court cases reveal the protection of slaves by the judiciary system, particularly involving slaves belonging to the elites of Tripoli. Oral history provides broader accounts of how such cases impacted on slave owners and may have changed their practices towards the enslaved.

Further interviews were conducted with Fezzan citizens who belonged to slave owners. Like Ghadames, Fezzan was crucial to the caravan trade as a trading town. To understand perceptions of slave treatment, I interviewed four former residents, who were often highly educated. No longer living in the town under investigation they were more willing and able to discuss the details of good and bad slave treatment, whereas the opposite was the case with people who still resided in Ghadames, as they rejected or protested against the question of ill slave treatment.

While the narratives from slave-owning families indicated that slaves had easier time in Tripoli rather than Fezzan and Ghadames, there needs to be more evidence to unpack the social experiences of slaves. Looking at other primary sources Chapter Four suggests that masters in Ghadames thought about their slaves (caravan workers) as members of the household, and a relatively high degree of intimacy existed between them and their masters. In contrast, other primary sources used in chapters Two and Three suggest that abusive relationships existed between masters and slaves in Tripoli, as reported in the cases of runaway slaves, maltreatments and manumission of concubine. Without direct testimony from the enslaved, we cannot be certain about whether their treatment was more benign in Tripoli than in Ghadames and Fezzan.

### **2.3.1 Patronage**

In Libya, although slaves were considered as a possession of the master, the latter still helped their slaves to raise families or have their own social life. Fourteen interviews, legislative court records, traveller's dairies, and the diary of Hassan al-Faqih Hassan provide examples through which one can examine the kind of relationship that existed between masters and their slaves, and the social status of slaves in society. In this context, the traveller John Francis Lyon claimed that by the late years of the Qaramanli dynasty (1818-1820) in Fezzan, one could not tell the difference between masters and the slaves who worked for them. Indeed, sometimes slaves met their masters to engage in reciprocal discussions, shared humour and food. In doing so, they sat equally with their masters.<sup>98</sup>

Hassan's diary provides an interesting narrative of the good treatment of slaves by their masters. Some female slaves who spent most of their lives serving a family were honoured during and after death. For example, one female slave was treated as a nanny after several years of service to a family; her family was given some money as tribute to her and to please Allah after her death. Another example concerns the female slave of the son of the author of *al-Yaumiyyat al-Libiya* (Hassan al-Faqih Hassan), who died on the 23 May 1820. She was buried at the family

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<sup>98</sup> Lyon, *Min Tarablus hatta Fezzan*, pp. 212, 217.



cemetery beside the father of the author.<sup>99</sup> In the following year, on the 28<sup>th</sup> February 1821, another of his female slaves called Fatima al-Zarqa was buried at the family cemetery, and the author donated a thousand *riyal* to her brother Muhammad as charity and to seek the pleasure of Allah.<sup>100</sup>

In addition, during the reign of the Qaramanli dynasty, several Tripoli families granted protection to female slaves after they were exposed to sexual harassment. In several cases the ruler Yusuf Qaramanli himself was involved in punishing the perpetrator. The Qaramanli rulers did not hesitate to carry out the sentence of imprisonment against anyone who killed a slave. In many cases, such punishment appears to have been delivered partly because of the status of the family that owned the enslaved. According to Islamic law, masters ought to protect their slaves if they were harassed. For instance, on 3 July 1825 a female slave of ‘Washa (the wife of Salim Dar, the head of treasury) was raped by a citizen of Tripoli called Ahmad al-Qliby, after which he ran away. At the time, the female slave was engaged to be married to al-Hajj Latif, a slave of the Pasha. The reaction of her master was to send eight men to look for the perpetrator of the crime. The Qaramanli Pasha (ruler) gave orders to find the perpetrator and to beat him. The following day the perpetrator was found in front of his house by her fiancé, who accompanied the men, and was beaten along with his slaves who tried to defend him.<sup>101</sup> In this case, there were no judicial proceedings or legal punishment, and it is unknown if the criminal was made to pay compensation (*diya*). Nonetheless, this sort of vigilantism authorised by the victim’s masters (and possibly with the consent of the Pasha) indicates that some justice was meted out to the victim. It is unknown if the slave was marriageable after the rape, but it is assumed that this was the case because her fiancé was involved in the attack on Ahmad al-Qliby.

Such narratives of protection did not only apply to female slaves. It was also mentioned in Hassan’s diary that on the 8<sup>th</sup> of December 1822 two male slaves (the slave of ibn Ma’tuiq and the slave of Hassuna Muhammad al-Dighys) were stabbed with a knife by Yusuf al-Malti. The incident resulted in the death of the ibn Ma’tuiq’s slave, and the murderer ran away to seek protection in the house of the

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<sup>99</sup> Hassan, *al-Yaumiyyat al-Libiya*, p. 278

<sup>100</sup> Ibid, p. 282.

<sup>101</sup> Ibid, p. 312.

American Consul. The Pasha sent a letter to the Consul demanding the handover of the perpetrator, believed to be a white slave from Malta, as indicated by his surname Malti. The slave's master insisted on suing the perpetrator, as a result of which Prime Minister Muhammad al-Dighys and the Treasury Minister Muhammad Bait al-Mal went to the Consul's house, where then the murderer was forcefully captured and sent to jail. Later, the judiciary sentenced the murderer to prison. The insistence of the master to punish the criminal who had attacked his slave, and the positive response from the Qaramanli ruler provides an example of legal protection for the enslaved and suggests that, for many masters, slaves had worth and were often considered family members.<sup>102</sup>

Court records contain a wealth of information regarding the status of slaves in Libya, and expose the clear relationship of patronage slaves had with their masters. For example, in 1866 a resident of Tripoli bequeathed his fortune to his offspring in his will. He instructed that if his male offspring became extinct (in other words, if his son did not have male offspring), his fortune would be bequeathed to his daughters and to his slaves, *al-khadim* Rihuma and *al. 'abd* 'Ali.<sup>103</sup> The labels "*al-khadim* and *al. 'abd* " belonged only to slaves, and indicate that at the time of the will both Rihuma and 'Ali were not emancipated. In support of this fact, records of the courts of Tripoli always indicated if a slave was emancipated, in which case he or she would be referred to as emancipated slave of his/her master. The will shows that the testator made his slaves and daughters equals in his will. However, only the son and his sons would benefit from that will, as the benefit of the daughters and the slaves was conditioned to the absence of male descendants.

In another will dated 1318/1901, Jamil Effendi, a resident of Tripoli, instructed on his death bed that some of his money was to be donated to his relatives, including two female slaves of his and two emancipated slaves of somebody else. He instructed that five *lira* from a third of his savings would go to Mas'ud, the emancipated slave of Hajj Muhammad al-Qarqani; and ten *lira* to 'Aisha, the emancipated female slave of Hiwawa, a daughter of Muhammad al-Qarqani. He also bequeathed ten *lira* to his servant Fatima al-Fezzaniya and Khadija al-Biyda bint al-

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<sup>102</sup> Hassan, *al-Yaumiyyat al-Libiya*, p. 401. For similar examples, see: Cooper, 'Islam and Cultural Hegemony', p. 248

<sup>103</sup> MLMDT (T), QA, SMSTG, No.107.1283-1284 (1866-1867), p. 219.

Kilany.<sup>104</sup> The case was dated after the prohibition of slave trade in Tripoli, but it is not known whether the two slaves were emancipated, or continued as slaves. However, the case still stands as an example of how slaves and emancipated slaves were received and treated.<sup>105</sup>

It is worth mentioning that the slaves who were brought from south of Sahara to Ghadames integrated into the city. Moreover, they brought their own traditions, culture, language and way of life to their new home; a variety of African languages commonly exist in Ghadames, such as the Hausa Language. They also still celebrate their cultural events and other different events by singing and dancing.<sup>106</sup> Their masters allowed them to practice the rites of their belief, even if they were different from those of Ghadames society. They had their own Shaykh who answered to their affairs. This meant that slaves would go to the Shaykh if they had any problems. The traveller James Richardson also mentioned that slaves enjoyed good treatment. They were allowed to entertain themselves and celebrate their social and religious days. Their day was called *yaum al-'abid* (the slaves' day) occurred once year; these celebrations started at the *suq* (market) square with singing and dancing, then participants would go to visit graves of their dead relatives according to their cultural traditions. There they prayed for the dead, then returned to the garden where they sang, danced and fired shots in the air.<sup>107</sup>

### 2.3.2 Abuse

The legal protection of slaves recorded in the court cases contrasts to the cases of abuse and maltreatment that were described by contemporaries. The Hassan diary provides example about domestic slave abuse. There was an incident in which one of the Qaramanli governors killed his female slave then he tried to atone for this sin by freeing a number of his female and male slaves. It describes how,

On Saturday 19<sup>th</sup> Shawwal 1241 (26-May-1826), in the early afternoon, Sidi Ahmad Pasha Qaramanli killed his odalisque whom Abumais brought from Istanbul. She was buried today Sunday

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<sup>104</sup> MLMDT (T), QA, SMSTG, No. 1146, p. 55.

<sup>105</sup> 'Imad Hilal cites similar evidence from record of endowments. Hilal, *al-Raqiq fi Misr*, p. 206.

<sup>106</sup> Richardson, *Tirhal fi al-Sahra*, p. 203.

<sup>107</sup> Ibid, p. 230; Interview with Khalid, by Amal Altaieb, Ghadames, 17 and 18/7 /2012.

odalisque at noon, several slaves were emancipated as an atonement.<sup>108</sup>

This case reveals the limits of slave abuse, in which even the rulers of Libyan society accepted penalties if their treatment of slaves was below that accepted by society. Were these decisions enforced by the court, or based on faith? There were two sets of regulation, one external from the courts and one internal, based on religion. There were cases in justice documents in Ghadames and Tripoli which revealed that slaves had the right to summon their masters to court; however, the court took precautions to ensure that any case between a master and his or her slave was well investigated prior to giving a sentence. For example, in the records of the court in Tripoli in 1831, a female slave claimed that her master and his wife had beaten her without any reason. However, upon investigating, the court found the slave's accusations to be a lie.<sup>109</sup> The slave had not been beaten inappropriately, and the slave was returned to her master's house. It is unclear how the court investigated the case and why they supported the master. Nonetheless, it highlights the rights of a slave to challenge maltreatment via court hearings. Similarly, another case that documents claims of slave maltreatment was found in the document of Ghadames dated 1893. A female slave of al-Hajj Ahmad Ma'tuiq brought a similar claim to the court, and upon deliberating the case, the judge called upon and reconciled both parties.<sup>110</sup> Thus, slave treatment was a very important issue for the court; if a master did not treat his slave well, the slave had the right to a court hearing.

The ties of social relationships between masters and slaves also could be weakened by economic crisis. For instance, in Fezzan, one of the most famous commercial towns in the south, a substantial number of slaves were used in agriculture. Documents from Fezzan present evidence of the way slaves were used as an alternative to money. On 2 July 1844, the District Officer of Fezzan sent a letter to the Ottoman Sultan in Astana, telling him that he had fulfilled the tax that Fezzan and its suburbs were to pay through payment in wheat, barley and slaves, as they could not pay the ottoman taxes in the year 1843 in goods. The District Office consulted with the local Ottoman governor, agreeing that the slaves would be sent to

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<sup>108</sup> Hassan, *al-Yaumiyyat al-Libiya*, pp. 335-336.

<sup>109</sup> MLMDT (T), QA, SMSTG, *Milfat al-'Dil* [Justice Files], file.16, doc.no.33, for more examples, see: file. no.8, doc.no.15.

<sup>110</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p.559-560

Astana to serve the Sultan while the wheat and barley would be kept in the district to supply the official armies of the empire.<sup>111</sup> This strategy likely had its roots in the wider economic crisis in 1843; as the document also details the damage drought caused to agriculture in Fezzan. Thus, as their main sources of livelihood were agriculture and the caravan trade, the crisis in the one sector would have meant many struggled to pay their taxes. Given the evidence from previous examples in this section that slaves were a commodity with high value, especially skilled caravan workers, it is unsurprising they could be used as substitute tax payments, though unfortunately the evidence is unclear on the tax liability a slave could offset. Regardless, we know that in 1843 the citizens of Fezzan gave away some of their slaves and grains to meet the tax sanction imposed by the Ottoman authority, providing an extreme example of how they were dealt with as property or goods owned by masters.

This dynamic was also prevalent in Ghadames as people had to exchange their slaves for goods or pay tax to the Ottoman authority. Following the demise of caravan trade, the merchants of Ghadames (discussed in Chapter One) had to sell their wives' jewellery to pay the compulsory tax.<sup>112</sup> One merchant from Ghadames claimed that after the collapse of the caravan trade, people failed to provide the minimum standard of living for their families. Consequently, they had to exchange their slaves for other goods.<sup>113</sup> Slaves were sold along with jewellery mainly due to economic hardship following the demise of caravan trade.<sup>114</sup> Treated as goods, slaves were at times separated from their children or parents and sold.<sup>115</sup>

As the result of poor relationships with their masters, some slaves resisted abusive treatment by running away. The explorer Rohlfs said that in mid-October 1865, he witnessed an old slave being beaten by his master in Fezzan, which led to the slave running away. The old slave threw himself at the feet of Rohlfs, thinking that he was an Ottoman official, begging for protection and shelter.<sup>116</sup> He also mentioned that a slave trader from Kordofan who resided in Murzuq, the capital city of Fezzan, came to him for medical treatment and promised that if he recovered he

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<sup>111</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, doc.no.8, p. 37

<sup>112</sup> Ibid, doc.no. 20. pp. 53-54.

<sup>113</sup> Interview with al-Hajj Ramadan, by Amal Altaieb, Tripoli, 30/7/2011.

<sup>114</sup> Al-Fituri, *Libya wa Tijara al-Qawafil*, doc. no 20, pp. 53-54.

<sup>115</sup> Interview with Salma, by Amal Altaieb, Tripoli, 10/1/2013.

<sup>116</sup> Rohlfs, *Rihla 'Bra Africa*, p.250.

would pay him a young male slave aged between seven and eight worth 50 *talir*. As promised, Rohlfs was given a slave called al-‘Abd Farj which means relief.<sup>117</sup>

Interviews I have conducted also suggest that there were racial stigma of slavery may persist more powerfully in smaller communities such as in Fezzan and Ghadames than in Tripoli. For instance, in Fezzan, until as late as 1955 women with dark skins were considered to be biologically descended from non-Arabs, and thus considered to be former slaves and forbidden from wearing some kinds of jewellery, such as silver anklets. The narrative says that the second generation of ex-slaves could get jobs outside Fezzan and that some went to Tripoli and worked mostly as bakers. This generation managed to save some money with which they bought their wives and mothers silver anklets or bracelets, but they could only wear them at night in their own homes.<sup>118</sup> Another aspect of discrimination endured by slaves in Fezzan until 1955 was that freed slaves known as *fazazna* were not allowed to bury the emancipated dead in the cemetery of the non-slaves locals; instead, they had their own cemetery. In the case of war, slaves were always forced to fight at the forefront to defend their masters. In addition, customs required that the freedman took off his shoes, put them under his arms and walked barefooted when he passed in front the residence of his former master.<sup>119</sup>

On the contrary, slavery in Tripoli is popularly remembered as being marked by good relationships between masters and slaves, which even continued after the abolition of slavery to the second and third generation descendants. To date, urban Libyans tended to cast Bedouins as having treated their slaves more savagely.<sup>120</sup> The memories therefore potentially tell us more about the different experiences of emancipation depending on geography. This suggests that social and economic differences did matter in the geography of slavery in Libya, as in the Americas, where Barry Higman and Philip Morgan show variation in slave employment in the Americas had a significant impact on their treatment and health, suggesting potential

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<sup>117</sup> Rohlfs, *Rihla ‘Bra Africa*, p. 290. For a detailed discussion of runaway of slaves, see the earlier section (Runaway of Slaves).

<sup>118</sup> Interview with Salma, by Amal Altaleb, Tripoli, 10/1/2013.

<sup>119</sup> Interview with Muftah, by Amal Al-Taleb, Tripoli, 8/1/ 2013.

<sup>120</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013; Interview with ‘Abdul‘aziz, by Amal Altaleb, Tripoli, 26-12-2012.

parallels in North Africa. Yet there needs to be more demographic research to explore the significance of these themes in Libya.<sup>121</sup>

### 2.3.3 Marriage

Marriages between slaves were allowed with the consent of both masters. An informant in Ghadames asserted that although slaves were considered to be their masters' possessions, many masters were keen to ensure their slaves married and had families. Masters were obliged by Islamic law to help their slaves enjoy a decent life, which included marriage and procreation. As a consequence, a neighbourhood in Ghadames emerged devoted to the slaves called the Amanj neighbourhood. Additionally, slave owners were obliged to feed and accommodate their slaves, reflecting an instruction of the prophet, who preached<sup>122</sup>:

Your slaves are your brothers and Allah has put them under your command. So whoever has a brother under his command should feed him of what he eats and dress him of what he wears. Do not ask them (slaves) to do things beyond their capacity (power) and if you do so, then help them.<sup>123</sup>

Records of courts at Ghadames show how marriage among slaves proceeded. The document dated 1872 reports a request by Musa, a young slave of Emhemmed al-Thani, to marry one of the master's slaves. The document shows that al-Thani's wife was happy to hear this request, but that she told her husband nothing should happen without his permission. Another document (dated 1873) shows that the marriage was fulfilled after the permission of al-Thani's wife, albeit the bride died a week after her marriage due to her illness.<sup>124</sup> Thus this document shows that marriage among slaves was done under the condition of the masters' permission and approval.

The diary of Hassan al-Faqih Hassan also shows that slave owners were responsible for their slave's marriage; for example, the family of the Bey (ruler) of

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<sup>121</sup>Ira Berlin and Philip D. Morgan (eds), *Cultivation and Culture: Labor and the Shaping of Slave Life in the Americas* (Charlottesville ; London: University Press of Virginia ,1993); B. W. Higman, *Slave populations of the British Caribbean 1807-1834*, (London : Johns Hopkins University Press,1984).

<sup>122</sup> Interview with Ahmad, by Amal Al-Taleb, Tripoli, 15, 17 and 18/7/2011.

<sup>123</sup> Muhammad ibn Isma'il, Al-Bukhari, *Sahih al-Bukhari*, trans. by Muhammad Muhsin Khan, vol.1 (2) (Beirut: Dar al-Fikr, 1981), hadith number. 30.

<sup>124</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 558.

Benghazi, Khalil Bey, spent fortunes on their slave's marriage and engagement celebrations. The diary mentions that on 1 January 1829 a party was arranged to celebrate the engagement of Um al-Sa'ad, the servant of *lilla* Minani, Bey Khalil's wife, to Madi, the slave of Mustafa al-Ahmar. One of the presents that came as a bride price for the bride was a female slave, bought by the master for 40 *duro*, a basket of henna, 50 *riyal* paid in cash, two lumps of sugar and eight candles.<sup>125</sup> This suggests that a bride's price sometimes included a servant slave, even if the bride was a slave herself. It also reflects the desire of the rich families of Tripoli to show off their status, as well as the possibility of good relations between masters and their slaves.

Hassan's diary presents another example of a marriage prom of other slaves for the same lady. On 1 January 1829, after the approval of the master, Bint Sabruna al-Turkiya, a servant of *lilla* Minani (wife of the Khalil Bey who governed Benghazi), was engaged to Farj, the slave of Khalil Bey. Among the bride price for the slave dictated by *lilla* Fattuma, wife of Mustafa Dinmark, were 4 ounces of silver as a wedding present, 45 *riyal duro* paid in cash, pure silk garment, polyester garment, cardigan, mirror, rug, and a basket of toiletries and cosmetics. The engagement took place and *lilla* Minani paid the dictated bride price besides other presents like candles, a basket of henna, lumps of sugar and a garment.<sup>126</sup> On November 9<sup>th</sup> 1829, the wedding of the slave couple took place at Khalil Bey's house, and was notably similar to rich family weddings in Libya.<sup>127</sup> Hassan's diary provides an example of the weddings of rich families' slaves. It also shows that these slaves were often considered as quasi-family member, where bride price was imposed on the groom's sponsor by the bride's sponsor and the groom's sponsor happily paid the bride price. This again reflects the good relations between slaves and their rich owners.

Similarly in Fezzan, the traveller John Francis Lyon mentioned that masters very often allowed slaves to marry each other without having them emancipated. The children, however, were labelled '*abid* (slaves) and it was disapproved to sell any of

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<sup>125</sup> Hassan, *al-Yaumiyyat al-Libiya*, p. 420.

<sup>126</sup> Ibid, p. 411.

<sup>127</sup> Ibid, p. 447. See similar examples, Ibid, pp. 333, 367, 418, 478, 524.



the slaves' children who were individually called "*shwashna*".<sup>128</sup> The traveller James Richardson also narrated a story detailing how the ruling family handled their slaves. He stated that the Pasha of Fezzan looked after his concubines and wanted to have his slaves married. For example, here he chose a highly respected Moroccan gentleman as a groom for his stunningly beautiful slave (so beautiful that, allegedly, all the other concubines envied her).<sup>129</sup> It is unknown in this instance whether the bride (the female slave) was used as a concubine for the Pasha of Fezzan; nonetheless, that did not prevent the ruler from marrying her off and helping her raise a family of her own. It is thus assumed that the Pasha liked the slave, hence he arranged to marry her to a respected and respectable man.

Another example of slave handling in Fezzan was that the Pasha of Murzuq had a couple of slaves, including a male servant and a girl. The Pasha adored the boy as the servant looked after him very sincerely, refusing to leave until he made sure that his master went to bed. Richardson describes how the Pasha wanted the boy to marry another wife to substitute his wife who was living in Tripoli, and therefore chose the girl as a bride for his slave. She was splendid and uniquely beautiful according to Pasha who described her to the Consul.<sup>130</sup> It is known from the travel account that the male slave was also used as a bodyguard for the ruler of Murzuq. It is assumed that the slave was essential to his master, who trusted him implicitly. The ruler was concerned for his slave, who could not go to Tripoli to stay with his wife because of his duties. Hence, he chose another beautiful wife for him. This act of compassion again demonstrates good relationships between slaves and their masters.

## **Conclusion**

This chapter has summarised and investigated the legal status and social life of slaves in Libya in the nineteenth and early twentieth century. Legal sources, travel accounts, interviews, Hassan's diary all show that the social life of slaves in Tripoli, Fezzan and Ghadames was shaped by the socio-economic character of the town or city under investigation, in particular the prevalent source of livelihood (agriculture and trade), as well as by the skills/capabilities of the slaves (domestic, caravan work,

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<sup>128</sup> Lyon, *Min Tarablus hatta Fezzan*, p. 217.

<sup>129</sup> Richardson, *Tirhal fi al-Sahra*, p. 405.

<sup>130</sup> Ibid, p. 506.

physical strength) and the Islamic laws which instructed the moral obligation of a master and the treatment received by slaves. Most importantly, the caravan trade shaped what was recorded in the legal sources. Cases concerning domestic servants, runaway slaves and slave theft are available in the Libyan court records. These revealed that slaves were essential to the wealthier of Libya, especially to the elites of Tripoli and Ghadames, who saw slaves as their property and utilized them for many services. As such, two main groups of slaves existed: those who worked in the caravan trade, and others who worked as domestic servants.

Both male and female slaves provided and represented economic values for their owners through caravan or domestic work. Masters in Ghadames depended heavily on slaves due their trustworthiness and local knowledge of the caravan trade, whereas for domestic work, just like in caravan trade, masters benefitted and gained financially by renting out their slaves. The slave experience varied in different cities or towns, with slaves rented out on sea voyages, for agricultural cultivation, and for use as bodyguards, nursing mothers and concubines. The domestic use of slaves was a particularly prominent phenomenon in Tripoli, where there was greater need of domestic slaves due to its size and the proliferation of wealthy or powerful families.

Many existing sources give a particular view about the treatment of slaves in Libya. They showed the differences in social relationship between slaves and masters. This chapter revealed that some relationships involved patronage and relatively mild treatment, whilst others involve abuse and violence. Differences in types of employment, such as caravan workers and domestic servants, shaped the relationship between slaves and masters. Oral interviews reveal that slaves in Tripoli had a less abusive relationship with their masters compared to those in Ghadames and Fezzan in the nineteenth century. Wedding arrangements, clientship, and wills indicated that slaves were treated well in Tripoli. However, mistreated slaves had the right to a court hearing. Some slaves tried to push the boundaries even by going to court to try to claim their rights of mistreatment (maltreatment). This showed the power of slaves in Libyan society. Furthermore, cases of runaway slaves showed the resistance of slaves to their masters. These cases document slaves who ran away to seek better treatment with other masters, owners who would take better care of them. Cases of theft among slaves also depict some slaves as independent and having a degree of economic autonomy.

### **Chapter Three: Patterns of Emancipation**

#### **Introduction**

In 2013, I conducted an interview in Tripoli with ‘Abdul‘aziz. He related a story from the 1930s about a former slave of a Tripoli merchant who worked in the caravan trade between the Tripoli and Kano routes, whose daughter was Aziz’s companion on one of his many trips to Kano.<sup>1</sup> Bilqasim Qishash worked in Kano as the Minister of Lands in 1955. His surname was that of his ex-master. His father, Musa, was also a slave of ‘Ashwir Qishash, and was bought in 1900 from Sudan when he was young. At the beginning of the twentieth century, ‘Ashwir Qishash was known as a very rich merchant and gained a lot of wealth in Kano. In his old age, he asked Musa to deliver his wealth, via the caravan trade routes, to his only daughter, who lived in Tripoli, in exchange for a gift and Musa’s freedom.<sup>2</sup> Musa was to ensure that the caravan was well managed and the inheritance arrived safely to the daughter. This agreement led Musa into the caravan trade, in which he sold commodities and bought properties for his master’s daughter in Tripoli. Upon accomplishing this task, Musa returned as a free man to his master who then bestowed upon him his *nisba* (family name). Hence the name was subsequently passed on to later generations.

This story provides some information about a slave’s life before and after emancipation. It shows the patterns of emancipation which occurred after the prohibition of the slave trade in Libya in 1856, after all slaves were given their freedom. The manumission was made almost 74 years after slave trade had been formally abolished in Tripoli. This raises the possibility that trading in slaves continued despite its legal abolition. Analysis of the situation shows that the master was so worried about bequeathing his wealth that he traded it for a slave’s freedom. It also shows the trust he had in his slave, as he could have otherwise chosen a caravan merchant to help buy and sell his commodities. Musa managed his master’s wealth properly with prior practical experience in caravan trade. Thus it reflects the respect that Musa received by being entrusted and later freed to start a new life in his hometown, whilst he still maintained a close relationship with his former master.

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<sup>1</sup> Interview with ‘Abdul‘aziz, By Amal Altaleb, Tripoli, 26-12-2012.

<sup>2</sup> For a similar pattern of emancipation in Egypt, see: Walz, ‘Redeemed Lives in the Trans-Saharan’, p. 89.

The previous chapter investigated the daily lives of slaves, their legal history and the cultural categories that dictated the lives of slaves in Libya. This chapter explores how those themes were affected by emancipation. It addresses patterns of slave emancipation, and slaves' transition to freedom. The rights and duties of slaves will be discussed, before an attempt to define the concept of manumission, which had different forms across the nineteenth and early twentieth centuries. These included manumission as a pious act, self-purchase, manumission after the master's death, and manumission of a concubine who had given birth to her master's child (*umm al-walad*). The context of a slave's release will be investigated to uncover links with religious and economic factors. Focus will be placed on the root cause of the transformation in status, and what effect the decreasing economic significance of slavery had to do with the liberation. Additionally, the first section will reflect upon the apparent pattern of slave emancipation, and will trace changes that occurred in Ottoman and Italian policies over time. It will also examine the effect of several other factors, such as the dynamics of caravan trade, the number of emancipated slaves, and changes in the pattern of emancipation in Ghadames.

Scholars such as Bovill, Boahen, Ehud and Wright have studied the history of slavery and slave trading in North Africa, focusing primarily on the commercial dimension of the Mediterranean slave trade in the Ottoman era, including slavery abolition. However, they have omitted its social and cultural implications.<sup>3</sup> However, the social lives of slaves in Libya remain elusive. Unlike previous scholars, Allan and Fisher have studied the institution in Saharan and Sudanese Africa, and the trans-Saharan caravan trade. They focus in less detail on the trans-Saharan trade, concentrating instead on domestic demand in Africa and the role of slavery in African Muslim society. These texts also contained descriptions and evidence from travel accounts for the emancipation of slaves occurring in many Muslim societies of Africa, such as Zanzibar and Kuka. However, there is little information about emancipation in Libya.<sup>4</sup>

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<sup>3</sup> Bovill, *Caravan of the Old Sahara*; Ibid, *The Golden trade of the Moors*; Boahen, *Britain, The Sahara and the Western Sudan 1788-1861*; Ibid, *Slavery and Abolition in the Ottoman Middle East*; Toledano, *The Ottoman Slave Trade and its Suppression*; Wright, *Nothing Else but Slaves*; Wright, *The Trans Saharan Slave Trade*.

<sup>4</sup> Fisher and Fisher, *Slavery and Muslim Society in Africa*, pp. 43-51.

Terence Walz has studied black slavery in Egypt during the nineteenth century, and Madeline Zilfi has studied female slaves in the Ottoman capital of Istanbul in comparison with slaves in Egypt and North Africa in the late-Ottoman Empire.<sup>5</sup> They employ various sources, such as local archives, Islamic court records and travel accounts to present a new social history outlining the various categories of emancipation. Similar to Libya, issues such as rights and duties imposed on masters and slaves were contained in the formula of emancipation declarations.<sup>6</sup> John Hunwick and Eve Powell have also presented a collection of primary materials on the enslavement of Africans in the Islamic countries of the Mediterranean from the nineteenth to the early twentieth century. Amongst the topics discussed in their books are the motivations that lay behind the liberation of slaves: court records in particular are a very important source discussing the influence of Islam in this field. One of the challenges one faces in writing about the slave emancipation in this context is the question of documentation, and more specifically how historians can use these primary sources to write about patterns and demography of emancipation.<sup>7</sup> Similarly, in his chapter 'The Social Status of Slaves', 'Imad Hilal provides brief information about slavery in Islamic jurisprudence. He stated that, generally, the social life of slaves in Egypt in the nineteenth century went according to the teachings of Islamic Sharia law. Court records provide evidence about the patterns of emancipation and problems faced by slaves who tried to earn their freedom, which in many ways were similar to what occurred in Libya. Such emancipation of slaves was common in Egypt before the prohibition of slave trade, or when trading in slaves was a legal business. Indeed, British efforts in Egypt in the last quarter of the nineteenth century ultimately led to the end of slavery in that country.<sup>8</sup>

However, certain kinds of information present in the Egyptian court records are absent from Libyan records. For example, Walz shows how manumission patterns changed as the number of emancipation acts in Egypt increased significantly in the later decades of the nineteenth century as a result of British consular activity

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<sup>5</sup> Terence Walz, 'Black slavery in Egypt during the Nineteenth Century as Reflected in the Mahkama Archives of Cairo', in. *Slaves and Slavery in Muslim Africa*, ed. by John Ralph Willis, Vol. II (London: Frank Cass, 1985), pp. 137-160; Zilfi, *Women and Slavery*.

<sup>6</sup> Walz, 'Black slavery in Egypt during the Nineteenth Century', pp. 146-148; Zilfi, *Women and Slavery*, pp. 121-124.

<sup>7</sup> Hunwick and Powell, *The African Diaspora in the Mediterranean Muslim World*, pp. xvi, 27-32, 165

<sup>8</sup> Hilal, *al-Raqiq fi Misr*, pp. 200-210.

against slavery.<sup>9</sup> Also, the issues of concubinage, manumission and redemption of slaves were significant in other Islamic countries such as in Sudan and Kano in Nigeria. Paul Lovejoy, Jans Hogendorn, Ahmad Sikainga and Allan Christelow all provide evidence that shows that slaves faced difficulties in obtaining their emancipation in the colonial period. Colonial administrators especially discouraged the liberation of female slaves.<sup>10</sup>

A long-standing mechanism of emancipation, self-redemption payments under court supervision, was potentially available to slaves, but it was not particularly effective in achieving wide-scale emancipation. Lovejoy and Hogendorn argued that this mechanism used in northern Nigeria; it had been well-established since the precolonial period and was used by the British colonial government to regulate abolition. The colonial regime's policy of tinkering at the margins was one reason the abolition in Northern Nigeria took so long to complete; it started in 1897 but only ended in late 1936. Both Libya and the Islamic emirates of Northern Nigeria were governed by Islamic law, and the slave systems in both areas were deeply influenced by the caravan trade. Nonetheless, in Libya emancipation was an even longer process. The prohibition of the slave trade started in 1856, but large numbers of slaves continued to be traded through Libya (albeit on a diminishing scale) and the use of slaves amongst the local notables persisted up until the Italian occupation of Libya in 1911. This chapter has demonstrated that the legal mechanisms for slave emancipation did not change in Libya after the formal abolition of slavery in 1856, nor was self-redemption particularly common in Libya during the nineteenth century; freeing slaves as a pious act (piety emancipation) was the most common form of emancipation as indicated by Ghadames documents and Tripoli courts records.

Complex stories have been told about emancipation in Egypt, Sudan, Turkey and Kano. By contrast, little has been written on the social history of emancipation in Libya. This chapter is an attempt to rectify this. It assesses the process of emancipation in the Islamic country of Libya within the wider context of global emancipation. The case studies explain how the process took place in the Islamic world; crucially, these processes were not a reaction to Western pressure. Hence, this

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<sup>9</sup> Walz, 'Black slavery in Egypt', p. 147

<sup>10</sup> Lovejoy and Hogendorn, *Slow Death for Slavery*, pp.245-266; Sikainga, 'Shari'a Courts and the manumission of Female slaves in the Sudan', 1898-1939', p. 24; Christelow, *Thus Ruled Emir Abbas*, p. 114; Christelow, 'Slavery in Kano, Evidence from the Judicial Records', pp. 57-74.

is a story which elucidates the social and cultural context of emancipation in Ghadames and Tripoli. Importantly, these two cities were socially and culturally different, Tripoli being much larger, economically diverse and more exposed to political change than Ghadames.

There was much continuity in the process of emancipation as limited evidence shows the absence of transformative events on the patterns of manumission after the abolition of the trans-Saharan slave trade. It is very difficult to deny that the political influence of abolition of the slave trade across Libya in the nineteenth century was limited. The number of emancipated slaves did not increase significantly after the abolition of the slave trade in 1856, and masters retained their slaves until the early twentieth century in 1911. According to Italian reports, it does not seem that a huge number of slaves were emancipated after the abolition of slavery. In spite of the limitation of the sources used, the evidence shows that, in most cases, the ex-slaves remained in the same residence and employment after their emancipation.

The principal primary sources used in this chapter were the records of the Islamic courts of Tripoli and Ghadames. My discussion is based on a detailed analysis of thirty-four cases drawn from the court records in Tripoli and Ghadames, using one volume of the court records in Ghadames, and eleven volumes of the records of the Islamic courts of Tripoli.<sup>11</sup> These records are from the nineteenth century (the Ottoman period), and include seven volumes from the first half of the nineteenth century, when trading in slaves was an open, acceptable and legal business, and three after 1870 when there were restrictions on the slave trade. There are two types of emancipation cases noted in the registers. The first type of emancipation case involved masters arriving at court to bear witness that the slaves have been freed. The description of this form of emancipation is usually brief; it initially states the date of emancipation, then the name of the master, followed by the slaves' names. The reason for the emancipation is also noted, and finally loyalty to his master is also documented. An example of this, in 1270/1853, the merchant Hassan bin 'Ali al-Iskandarni, resident of Tripoli, "for the love of God" freed his *zinjiya* slave Fatima (a female of Bornu origin; dark-skinned; average height), who hereinafter would be as other true free women, with no duty apart from loyalty to her

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<sup>11</sup> MG, SMGS, 1316-1321(1898-1903); MLMĐT (T), QA, SMSTG, No.1021; Ibid, No.1388; No.1121, 1266-1267(1850-1851); No:1011; No.801, 1306-1307-1308 (1888-1890); No. 1146; No. 930, starts from 10-Safar-1308 (25-September -1890), and ends on 29-Shawwal-1310 (16-May-1893); No.13; No.143; Vol.15; No.22 (1837-1854). See: Appendix number One.

slave master. God will redeem every part of his body, limb for limb, from hell-fire, written.<sup>12</sup> The second type of emancipation cases concerned slaves going to court to prove their freedom. In most instances, these cases were recorded in detail. The date of complaint was noted, then a complaint would be lodged, the defendant would then be summoned, and, in the majority of the cases, witnesses would be summoned. Finally, the verdict would be announced.

In 13 Rabi‘ al-Thani 1270 (13-January-1854) Khair, of Sudanese origin, dark black skin, came to the Sharia court claiming that at the time of cholera in 1266/1850, his master, al-Hajj Ahmad ibn Muhammad ibn Talha al-Hinshiri, had declared on his deathbed the emancipation of Khair, providing that Khair would remain as a servant for the master’s children and his freedom, to be due at the time the oldest son of the master Muhammad reached adulthood. Khair verified that his master gave him the emancipation document, but that he then lost it. He came to court in order to sue Muhammad ibn Talha al-Hinshiri (a brother of the master, and the guardian of the deceased master's properties and estate), who had sold him to Salam al-Kirkashi as soon as he knew that Khair had lost the emancipation document. He requested in the court to ask Muhammad bin Taliha what right he had to sell him after being freed by his master.

The defended answered that he had no idea that Khair was given his freedom, and the judge asked Khair for proof. Hence, the court called al-Faqih al-Hajj Ramadan al-Hinshiri, who testified that he knew the deceased master and his Sudanese slave Khair, and that on Dhul-Qa‘dah 1266 (September-1850) al-Hajj Ahmad [the master] avowed, being on his death bed but of sound mind, that his slave Khair was not a subject of sale or purchase and that “I want him to stay and serve my children until the time my son Muhammad reaches adulthood, when then Khair will have become free man, for the sake of Allah... So testified al-Faqih al-Hajj ‘Ali ibn Sha‘ban”. For his part, the defendant, al-Hajj Muhammad ibn Talha (the guardian of the estate) admitted to the witnesses’ testimonies, which was endorsed by al-Hajj ‘Abdullah al-Najjar. The judge decided to confirm the emancipation and considered the slave Khair as a free man.<sup>13</sup>

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<sup>12</sup> MLMDT (T), QA, SMSTG, No.13, p. 100; for similar examples in Tripoli at the same record, see: Ibid, pp.2, 74, 75, 79; No. 143, p143; No. 15, p.37. Also for similar cases in Ghadames and Egypt, see: Yusha’, ‘al-Raqiq fi Ghadames’, p.28. Hilal, *al-Raqiq fi Misr*, appendix. no.3, p. 390.

<sup>13</sup> MLMDT (T), QA, SMSTG, No: 1011, p.42. For a similar case in 1860 at the court record of Egypt, see: Hilal, p. 201.



Court records provide information on typical kinds of patterns of manumission, but do not provide the total number of emancipated slaves. This is because the majority of cases of emancipation were done outside of the court via witnesses.<sup>14</sup> It was not common in Libya during the nineteenth century to go to court which was seen as an avenue of last resort, and communities across Libya usually depended in solving issues in their daily life through agreements in the presence of witnesses.<sup>15</sup> For example, Yusuf Pasha (Qaramanli governor) was supposed to record everything in the court record; however, one of his male emancipated slaves called Madiy Bardu, claimed to the court in 1253/1837 to prove his emancipation. He stated that on the death of the Pasha's emancipated wife, called al-Jabalya, the Pasha purchased and then emancipated him, which reflect the fact that the masters did not bring their slaves in front of a gathering of a court session for everyone to bear witness that the slaves had been freed.<sup>16</sup> A court tax was levied to be paid when a master registered a slave at the court as a freed person, which may explain why masters were not keen to register their ex-slaves in the court. Indeed, in 1838, the tax for emancipation document was five *qrish* which was considered a significant sum of money during the nineteenth century.<sup>17</sup>

The documents analysed in this chapter cover all four types of emancipation previously described. They offer information about the types of emancipation that were found in Libya during the nineteenth century, and how these emancipations took place. They also outline the rights and duties imposed on masters and slaves, but they do not provide a full description of the slaves themselves. Nor is it easy to identify the root causes that made some of the masters give slaves their freedom without asking for anything in return. Were their reasons religious or economic? Could it have been the decreasing economic value of the slave (who may also have been aging or becoming less productive) that resulted in the master giving the slaves their freedom?

### **Other Sources**

There are two studies that have looked at slave emancipation in Libya. The first is the published M.A. thesis by Muhammad 'Umar Marwan on the Islamic court

<sup>14</sup> Interview with al-Hajj Ramadan, by Amal Altaleb, Tripoli, 30/7/2011.

<sup>15</sup> For a similar view in Egypt, see: Hilal, *al-Raqiq fi Misr*, p. 206.

<sup>16</sup> MLMDT (T), QA, SMSTG, No. 1388, p. 82.

<sup>17</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, pp. 122-123.

records of Tripoli from 1760 to 1856. He has studied three volumes of the *sijillat mahkama shari'ya Tarabulus* in the years 1818, 1840 and 1851, calculating that just 5% of the court records mention slavery. Also, he assumes that the issues that were brought up in court are not all of the problems masters and slaves may have faced; as previously mentioned, many Libyans would usually attempt to solve problems without going to court first.<sup>18</sup> His study provides a good overview of the types of manumission occurring according to the Islamic court records, and provides an invaluable insight into the legal procedure. The second important work is Marwan's published PhD thesis, written in 2009. His account contains useful information about the types of manumission and how slaves were treated and emancipated in the city of Ghadames. However, in both these studies, Marwan's information on emancipation is more descriptive than analytic.

This chapter employs the memoirs of Hassan al-Faqih Hassan, and the correspondence (1848-1854) of Charles Dickson, British vice-consul in Ghadames. It also examines literature left by European travellers during the period, such as the account of Major Alexander Laing (1825). A final source used will be my interviews with al-Hajj Ramadan, Ahmad from Ghadames and 'Abdul'aziz from Tripoli.<sup>19</sup>

All the emancipation documents from the Islamic courts studied here, record the type of emancipation and the name of the emancipated slave. The majority of slave names were common Arabic names, with the exception of some uncommon and unusual ones. Furthermore, the names were usually linked to the surnames of their masters, the majority of which had strong racial connotations. With the passage of time, these racialised names were usually applied to those with dark skin, such as *shwshan*, *zinji*, or dark black skin.<sup>20</sup> There were differences in the details contained in the emancipation documents, notably in terms of physical descriptions of the emancipated slaves. Some emancipation documents in Tripoli contained the name of the slaves and their height, skin colour, and, in many cases, their country of origin. In the city of Ghadames, a prefix was added to the slaves name in the emancipation documents to denote his origin as a slave.

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<sup>18</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, p. 24.

<sup>19</sup> Interview with al-Hajj Ramadan, by Amal Altaleb, Tripoli, 30/7/2011; Interview with 'Abdul'aziz, by Amal Altaleb, Tripoli, 26-12-2012; Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011. The above are more extensively discussed in the Introduction Chapter.

<sup>20</sup> (MLMDT) T, (QA), (SMSTG) No. 13, pp. 2, 74, 75, 79, 100; No.143, p. 143; No.15, p. 37. For a similar view in Morocco, see: El Hamel, *Black Morocco*, pp. 178-179.

The most likely reason for differences in the details listed in emancipation documents was due to the large difference in the population structure of Ghadames and Tripoli. According to the information received in 1859 from the English Vice Consul in Ghadames, Charles Dickson, the total population of the whole region of Ghadames was 6,500, of which 4,000 lived in the city of Ghadames.<sup>21</sup> More than 200 of these people were enslaved.<sup>22</sup> Due to this, there was no reason to document slave descriptions as individual slaves were widely known and recognised in the community. In contrast, in Tripoli the capital city of Libya, the structure of the populations consisted of many classes and foreign communities. Here the population of slaves was higher than in Ghadames, According to the information received from the traveller Barth in 1842, the aggregate population of Tripoli in 1843 was between 13,000 and 14,000, including Arabic and Jewish peoples.<sup>23</sup> This number increased in 1862, when Gustav Nachtigal wrote that the aggregate population of Tripoli was around 20,000.<sup>24</sup> Justiano Rossi wrote in 1901 that of 30,000, 2000 were Arabic, 6000 were Jewish, and the rest from different nationalities.<sup>25</sup>

It is interesting that the age of emancipated slaves is not included in the majority of emancipation documents, which raises the question about the intention of the emancipation act itself: whether it was an act of religious piety or the end of the economic viability of keeping the slave. In my opinion, the main reason for this kind of manumission was actually for the grace of Allah, rather than considering the slaves as uneconomical and no longer useful. Slave holders in Ghadames and Tripoli were obliged morally and legally, in front of their community, to provide food, shelter and security for the slaves that they had purchased before freedom. Also, I do not think that the prohibition of the slave trade was the reason for a slave to be emancipated in the second half of the nineteenth century, as evidence available from the records of the court in Tripoli and Ghadames shows that the slave trade was regarded as an acceptable and legal business. Despite the fact that the majority of emancipation documents did not mention the ages of ex-slaves, we can speculate using evidence from several sources. First, it is well known that desirable slaves on

<sup>21</sup> Dickson, 'Account of Ghadames', p. 257.

<sup>22</sup> National Archive, Fo. 160/13, Correspondent from Charles Dickson, British vice-consul in Ghadames in 1850, to consul in Tripoli; Richardson, *Tirhal fi al-Sahra*, p. 94.

<sup>23</sup> Al-Tillisi, *Hikaya Madina Tarabulus*, p. 154.

<sup>24</sup> Gustav Nachtigal, *al-Sahra' wa Bilad al-Sudan*, Trans to Arabic: by 'Abd al-Qadir al-Mahiyshi, vol.1 (Tripoli: Markaz Jihad al-Libiyin lil-Dirasat al-Tarikhiya, 2007), p. 94.

<sup>25</sup> Al-Tillisi, *Hikaya Madina Tarabulus*, p. 200.

the markets were young people between the ages of three and thirty. An example of this follows: in 1854, several soldiers joined together and bought a young male slave for one thousand *qrish islambuli* for the sake of Allah, and then set him free.<sup>26</sup> Slaves' ages can also be estimated by the period of time they had spent in their jobs before their emancipations. In the correspondence between commercial traders in Ghadames, many ex-slaves worked with their ex-masters for a long time, in some cases more than thirty years. This was the case of ex-slave, called Subw, the commercial agent for Ahmad al-Thani in Kano; the first time he was mentioned in the correspondence was from 1855 until his death in 1885.<sup>27</sup> From the register of the court in Tripoli in 1847, it can be seen that Hassan al-Qirui stated that his female slave Qumira (Bornu origin, black colour) and her young son would be free like other free Muslims.<sup>28</sup> This case reflects the young age of emancipation of the male slave. It is also assumed that the woman was relatively young, to have had such a young son.

### **3.1 Piety Emancipation**

The rules of engagement and the obligation of a master to his slave were laid down by Islamic law. The law left the manumission of a slave to the discretion of the master. It was in fact a commendable act; however, it was not obligated upon the master.<sup>29</sup> Slaves looked for opportunities to be free. One such opportunity was piety. Masters emancipated their slaves based on the religious reward (heavenly and secular rewards) attached to it as laid down in the Qur'an and Sunna (the traditions of the Prophet Muhammad). Maliki law cites the hadith: for any Muslim who frees a slave, God will redeem every part of his body, limb for limb, from hell-fire.<sup>30</sup> There are many verses in the Qur'an that urge Muslims to free their slaves, such as the verse which stated:

And never is it to for a believer to kill a believer except by mistake.  
And whoever kills a believer by mistake-then the freeing of a  
believing slave and a compensation payment (*diyyah*) presented to his

<sup>26</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, pp. 56-57.

<sup>27</sup> Yusha', 'al-Raqiq fi Ghadames', p. 25.

<sup>28</sup> MLMDT (T), QA, SMSTG, No. 13, p. 74.

<sup>29</sup> For further information see: chapter two, section: Slavery in the Islamic Legal System.

<sup>30</sup> Fisher and Fisher, *Slavery and Muslim Society in Africa*, p.44.

(i.e., the deceased's) family (is required), unless they give (up their right as) charity.<sup>31</sup>

Piety emancipation is a direct but voluntary manumission, which implies that the master is willing to pay in order to get a reward from God. This type of emancipation was common in Libya during the Qaramanli era (1711- 1835) and the second Ottoman period (1835-1911). At the end of the eighteenth century, Miss Richard Tully stated that in Libya the emancipation of slave was a prevailing phenomenon on the event of death. For example, 'Iysha, wife of the Qaramanli governor's son, emancipated all her husband's slaves on the event of his death.<sup>32</sup>

Furthermore, the memoirs of Hassan al-Faqih Hassan stated that 597 emancipation cases occurred between 1236-1247 (1821-1832), which were carried out through the power of the ruling elite and wealthy families in Tripoli.<sup>33</sup> This kind of emancipation occurred after the death of top state elites or their sons. For example, in 1821 Yusuf Pasha had freed 150 slaves on the death of his daughter *lilla* Zinuba.<sup>34</sup> In 1824 he also emancipated 230 of his slaves after the death of his wife, *lilla* 'Iysha.<sup>35</sup> Also in 1828, Yusuf Pasha freed 138 slaves after the death of Ahmad Bey Qaramanli.<sup>36</sup> Following the death of his son by his *khadim* in 1832, Ibrahim Pasha (Qaramanli ruler) emancipated seventeen of his slaves.<sup>37</sup> Khalil the Bey of Benghazi emancipated in 1831 thirteen of his slaves on the death of his little daughter Hussin.<sup>38</sup> Similarly, in 1832 the family of 'Uthman Bey al-Qaramanli emancipated twelve slaves on the death of 'Uthman's daughter.<sup>39</sup> Another example concerns the slaves of Muhammad al-Daghiys, a senior staff member of the Palace. After his death in 1825, thirty-seven male and female slaves were emancipated by Ali Pasha (Qaramanli ruler) and Mustafa Bey.<sup>40</sup> In addition, the memoirs of Hassan al-Faqih Hassan stated that other cases of emancipation took place throughout the reign of the Qaramanli dynasty by the ruling family and wealthy families in Tripoli, albeit the numbers of slaves in those cases were not mentioned. Comparing to the

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<sup>31</sup> Qur'an, Surah an-Nisa', chapter. 4, verse.92.

<sup>32</sup> Tully, *Ashar Sanawat fi Balat Tarbulas*, p.403

<sup>33</sup> See: appendix. 2.

<sup>34</sup> Hassan, *al-Yaumiyat al-Libiya*, p.283.

<sup>35</sup> Ibid, p. 293.

<sup>36</sup> Ibid, p.404

<sup>37</sup> Ibid, p. 490.

<sup>38</sup> Ibid, p. 535

<sup>39</sup> Ibid, p. 582

<sup>40</sup> Ibid, p. 320, for more examples, see: Ibid, pp. 332, 446.

rest of the emancipation cases stated above, the number of emancipated slaves was significant and can be assumed as large scale.<sup>41</sup>

As it is a way of showing sincere repentance or atonement of guilt, freeing slaves was rife across the Muslim world in this period. In the province of Tunisia, piety emancipation was common in the event of death. Traditionally, freeing slaves is made upon the death of any Bey. For instance, following the death of the Bey of Tunis in 1835, his successor ordered 600 female slaves and 200 male slaves to be freed; they later carried their emancipation documents around their necks. Another example shows the freeing of slaves in a different light. Marshal Ahmad Pasha freed a huge number of slaves when he took over in 1837; this custom had changed after the declaration by the Bey of Tunisia, who stated that slaves will not record their emancipation names. This declaration also did not allow slaves to attend the funeral of the deceased master, because the Bey believed that the emancipation of slaves was for the sake of God, and not for the ostentatious display of the significant numbers of freed slaves.<sup>42</sup>

Court records also provide evidence that piety emancipation of slaves was common in Libya; sixteen piety emancipation cases out of thirty-four cases demonstrate this. The timing of the emancipation cases studied here were different; nine of the emancipation cases occurred in the first half of the nineteenth century (between 1821 and 1854), when trading in slaves was a legal and acceptable business. There was one case in 1869 and two other cases in 1903, after the prohibition of the slave trade. Six of those cases in Tripoli showed that the masters emancipated their slaves on the events of the death of two daughters, two wives, and two mothers from the family. Interestingly, three of the slaves who were freed on that occasion were not even in the family's possession; they were purchased especially to be emancipated for that occasion.<sup>43</sup> This clearly shows that purchasing and then emancipating slaves on particular occasions, such on the death of someone within the master's family, was done for Allah's rewards.

Two other cases show that people would free their slaves when they (the masters) fell ill, apparently as an offering to God for their recovery. In 1270/1853,

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<sup>41</sup> Hassan, *al-Yaumiyyat al-Libiya*, pp. 335, 501.

<sup>42</sup> Abdul Jalil al-Tamimi, 'al-Raqiq wa 'A'dadhim fi Muntaf al-Qarn al-Tasi' 'Ashar bi Iyala Tunis', *al-Majalla al-Magharibiya al-Tarikhiya*, 39-40 (1985), p. 592.

<sup>43</sup> MLMDT (T), QA, SMSTG, No. 1121, p.194; No. 1011, p.64; NO. 1021, p. 262; No. 1388, pp. 61, 225; No. 801, p. 15.

Turkiya bint Sha‘ban al-Hadidy al-Mislatiy emancipated her female slave (called Fatima *al-shwshana*) after the master's declining health.<sup>44</sup> Some other cases tell that slaves were freed because of an incapability to do their tasks or because of invalidism. There was only one case in 1853 when a young slave was freed for the reason that he was too young and unable to perform his job.<sup>45</sup> This reflects the economic value of keeping the slave. This is similar to a 1762 emancipation case in Timbuktu where the slave was too old. According to John Hunwick, the emancipation of this slave by his master was not a huge sacrifice since the slave was old and consequently had very little services to offer.<sup>46</sup>

However, the last two piety emancipation cases were after the prohibition of slavery in 1903. In these instances, age was mentioned; a member of the former ruling family (Hassan Pasha, the son of Ysuuf Pasha al Qaramanli, the Governor) emancipated two female slaves. One of them, called Tibra (Sudanese origin, *hamrwiya*), was 30 years old, and the other, called Fatima (Sudanese origin), aged 40 years.<sup>47</sup> Also, another case carried by *al-zinjiya* Hiwwah called Umm Amina, the emancipated female slave of Rashid Bik al-Masri who emancipated his female slave Fatima, aged 20 years old (Bornu origin, dark black skin).<sup>48</sup>

Another document of emancipation provides a clear illustration of this type of manumission. In the formula of the typical manumission declaration on the 8<sup>th</sup> of Rajab 1267(10- May-1851) at the Court record in Tripoli, al-Hajj Mabruk ibn al-Mahjwib al-Sharif al-Marakshiy, resident of Tripoli, came to the court along with his wife Muna bint ‘Uttman al-Hasha’ishi al-Tunissiy. Both testified that they had a daughter called Fatima who assisted with all house chores. They then purchased a female servant called Zahra with her son called Bilal to serve the household. Sadly Fatima passed away, and the parents emancipated the boy Bilal so that he became a part of the free Muslim community with the same rights they had, and bounded by the same duties to which they were obliged, with no duty apart from loyalty to her slave master. The parents hoped that God would accept the emancipation so as their daughter Fatima would receive access to heaven and save every organ of hers from

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<sup>44</sup> MLMDT(T), QA, SMSTG, No. 1011, p. 8

<sup>45</sup> Ibid, p. 259.

<sup>46</sup> Hunwick and Powell, *The African Diaspora*, pp. xvi- xvii

<sup>47</sup> *Hamrwiya* in the Libyan context means people of light brown skin colour and they say this to differentiate them from other black skin people.

<sup>48</sup> MLMDT (T), QA, SMSTG, No. 1146, p. 57.

the torments of hell.<sup>49</sup> This was clearly a piety emancipation, as implied by the wording that they freed their young slave on the event of the death of their daughter. It was believed that each limb of the freed boy corresponded to a limb of Fatima's to be saved from the fire (hell). As a result, Bilal, having been redeemed from slavery unwittingly, became a redeemer of his master. Although, as mentioned above, the freed slave was to be classified with the free Muslims, partaking of both their privileges and their responsibilities, a freed slave did remain a client of his former master, the document does not indicate the age of freed slave, but we can assume from the context that he was young.

Similarly, in 1838 Ahmad ibn al-Hajj al-Wiyah, on the occasion of his mother's death, emancipated his male slave called *sadas* Nasir to please Allah. Nasir's age is not stated in the case, but *sadas* is a term used for slaves in the market who were between the ages of twelve and fifteen years old.<sup>50</sup> I assume that the slave was young and added economic value to his master, who gave him his manumission for the sake of Allah. We can guess also the age of the slaves from other cases which omitted this detail. For example, five of the cases studied were complaints by the slave against the families of deceased master who refused to give them their freedom because they would lose the economic value of a commodity. Refusing to give slaves their freedom reflected the fact that the slave has economic value - otherwise what was the benefit of keeping slaves if they were not productive? The judge decided if the slave got their freedom, after hearing the testimonies of witnesses.

By comparing this document to other documents in different cities, we can notice also that freeing slaves for piety purposes was remarkably common. In the city of Ghadames, al-Hajj Tahir al-Mufaq stated that he bore witness to two men who inherited a slave from their father. One son decided to free his half of the slave, whereas the other insisted on selling his half of the slave. The half of the slave which was up for sale was auctioned at Ghadames market on a daily basis for seven days, until the slave ended up buying himself out of slavery.<sup>51</sup> According to Ramadan' who stated that in Ghadames this type of emancipation was called *al-'itiq al-muba'd*, the

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<sup>49</sup> MLMDT (T), QA, SMSTG, No.1121, p. 194.

<sup>50</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p. 302; Fisher and Fisher, *Slavery and Muslim Society*, p. 162; Nachtigal, *al-Sahra' wa Bilad al-Sudan*, vol.2, p. 305.

<sup>51</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p. 554.



half of slave which was not free asked their heirs to grant them freedom, or to allow them to buy their freedom.<sup>52</sup>

Another case stated that in 1837 Katli, one of the wealthiest families in Ghadames, inherited a slave from their father. The mother and the eldest son wanted to free the slave in the hope for god's mercy for their father. The eldest son and mother agreed to pay the younger children off for their sum of inheritance from inheriting the slave.<sup>53</sup> Also, on the event of Ahmad al-Thani's death in 1869, his family emancipated five of his deceased father's slaves (four males and one female), as a piety act to be rewarded by God, or at the very least, to provide security for the deceased from the tortures of hell.<sup>54</sup> Likewise in Tripoli, a female slave was found by her sibling's master. The two siblings were slaves under Muhammad Daghiys and were reunited with their third sibling in Tripoli after their master searched for her, bought her and then set them all free. It was recorded that they were all Bagrime slaves under the age of twenty.<sup>55</sup> There was also a similar occurrence of emancipation in the capital of Tripoli, where several people of high ranking families in 1855 joined together, bought and then emancipated a young male Sudanese slave who was the property of a Turkish military officer.<sup>56</sup>

Other countries such as Egypt, Turkey and Timbuktu shared the same language of manumission.<sup>57</sup> However, in Egypt and Turkey, documents registered not only the manumission of a slave, but also the gift of a sum of money,<sup>58</sup> which was rarely mentioned in the registers of the court in Libya. However, Ramadan documented the same declaration in Ghadames.<sup>59</sup> For instance, in Istanbul, Turkey, masters provided further support for their ex-slaves by bestowing gifts and goods to

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<sup>52</sup> Interview with al-Hajj Ramadan, by Amal Altaleb, Tripoli, 30/7/2011.

<sup>53</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, pp. 554.

<sup>54</sup> Ibid, p. 555.

<sup>55</sup> Bagrime: originated from Bagrime which is located near the Lake of Chad. Fisher and Fisher; *Slavery and Muslim Society*, p. 53.

<sup>56</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, p. 56.

<sup>57</sup> Walz, 'Black Slavery in Egypt during the Nineteenth Century as Reflected in the Mahkama Archives of Cairo' p. 147; Zilfi, *Women and Slavery*, p. 124; Hunwick and Powell, *The African Diaspora*, pp. xvi, 165.

<sup>58</sup> Walz, 'Black slavery in Egypt during the Nineteenth Century as Reflected in the Mahkama Archives of Cairo', pp.137-160 (p.147); Hilal, *al-Raqiq fi Misr*, pp.200-.202; Zilfi, *Women and Slavery*, p. 124.

<sup>59</sup> Interview with al-Hajj Ramadan, by Amal Altaleb, Tripoli, 30/7/2011.

them in order to ease the transition from slavery into freedom.<sup>60</sup> Many such gestures, including the gifting of money, were also recorded in Egyptian documents.<sup>61</sup>

Another form of emancipation featured prominently in many legal texts is emancipation by *kaffara*, a legal expiation for a wrong committed by a Muslim individual. For example, freeing a slave was a compulsory expiation for non-intentional murder. The lesser punishment of the crime was two months of consecutive fasting.<sup>62</sup> Historian Hassan al-Faqih Hassan indicates examples of this religious practice in different cases of violations of the right of domestic slavery. In 1826, the Qaramanli ruler Ahmad Pasha killed one of his female slaves, then tried to atone for his sin by emancipating a number of his servants and slaves.<sup>63</sup> The circumstances of the killing were not mentioned in the memoirs of Hassan, although it was stated in 1819 that he used her as a concubine.<sup>64</sup>

According to information from the traveller John Francis Lyon in 1818, pious emancipation appropriately occurred on the occasion of some religious festival, especially at the end of Ramadan every year whenever the people had financial resources.<sup>65</sup> According to traveller Snouck Hurgronje in the nineteenth century, domestic servants in other Islamic countries, such as in the Arabia in Mecca, were usually given their freedom at about age twenty.<sup>66</sup>

### **3.2 Self-Purchase**

The second type of emancipation is where there was a written contract between the slave and his master, in which the slave agreed to pay his master a set sum in return for his freedom.<sup>67</sup> A contract called '*itik al-mukataba*' could be signed by a master and slave. The contract allowed *al-muktaib* slave to earn his freedom by paying an agreed sum of money over an agreed period of time (usually in instalments). However, the slave was to return or remain in bondage to his/her master if he failed

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<sup>60</sup> Zilfi, *Women and Slavery*, p. 124.

<sup>61</sup> Walz, '*Black Slavery in Egypt during the Nineteenth Century as Reflected in the Mahkama Archives of Cairo*', p. 147.

<sup>62</sup> The Qur'an, Surah an-Nisa', verse.92; Fisher and Fisher, *Slavery and Muslim Society*, p. 48

<sup>63</sup> Hassan, *al-Yaumiyyat al-Libiya*, pp. 335-336.

<sup>64</sup> Ibid, p. 266.

<sup>65</sup> Lyon, *Min Tarabulus hatta Fezzan*, p. 217; For similar view see: Fisher and Fisher, *Slavery and Muslim Society*, p. 45.

<sup>66</sup> Hunwick and Powell, *The African Diaspora*, p. 166.

<sup>67</sup> Muhammad, *Mawiqf al-Islam min al-Riq* (Libya: Jam'a Sabha, 1989), p. 94

to pay his sum.<sup>68</sup> For example, in 1838 Muhammad al-Ghadamsi agreed that his slave Nasir would pay him thirty-three *mahbub* within 10 days of the agreement, whereby once the sum was paid to the master, Nasir would be free like all free Muslims, with , no duty apart from loyalty to his slave master.<sup>69</sup>

Another example of the Tripoli court records stated that, on May 1853, a Birnawiya female slave paid about forty *mahbub* for her emancipation.<sup>70</sup> A question could be raised, as to where a slave would get such money to pay off their master. Was it from charitable donations or from paid work that the slave was allowed to undertake? One early English traveller who reached Ghadames in 1825 was Alexander Laing. He stated that the slaves there were treated with much kindness, and were allowed to buy their freedom (and thus saved money), as their masters allowed their ‘*abid* (slaves) to work for ‘*itik al-mukataba*. In case slaves could not pay the full price for their freedom (estimated at fifty dollars), they were able to give their master a part of the sum and delivered a document (support) which confirmed their freedom.<sup>71</sup> The amount to be paid was not stated in the traveller’s account but it is assumed that it was a lump sum since slaves had to work for it in order to be free.

It is noted in the registers of the Islamic court in Tripoli that some slave masters allowed the enslaved to work in various fields for their own financial benefit. For example, in a court claim made in 1807, one of the freed people in Tripoli claimed that he lent a slave called Nassir of the al-Wakal family an amount of 342 *riyal* to buy five slaves for trading. He still owed him 56 *riyal*, including the price and the profit of selling.<sup>72</sup> Although the case is a debt case, and thus does not talk about the emancipation of slave, it shows that masters allowed self-employment of slaves in order for them to arrange a contract to free themselves. Moreover, it shows that slaves received help from the people in Tripoli. Likewise, a case in 1835 stated that *al-mukatib* slave worked and had owned his properties; until his death, the slave did not pay the sum of money to obtain his freedom. His master subsequently claimed to the court and asked for his properties as compensation for his owed

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<sup>68</sup> Fisher and fisher, *Slavery and Muslim Society*, p. 47.

<sup>69</sup> MLMDT (T), QA, SMSTG, No.15, p. 319.

<sup>70</sup> Ibid, No. 22, p. 106.

<sup>71</sup> Laing, ‘Rahalat wa Rasa’il Alexander Gordon Laing’, p. 435.

<sup>72</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari’iya 1174-1271h/1760-1854*, p. 59.

money which he took from the treasury.<sup>73</sup> After payment, the master stated in the court that his slave was now free.

In 1855, the trader Hajj ‘Utman ibn ‘Utman al-Jirbi, stated that he received the full fifty *mahbub* from his *muktaib* female slave (named Khadija, of Sudanese origin), and her daughter Fatima, as agreement between them to earn their freedom.<sup>74</sup> The wealthy also often donated money to poor people as an act of religious devotion, or a traditional means of demonstrating high social status. An example of this tradition is in Ghadames, where a groom would give a sum of money to the slaves on the day before his wedding.<sup>75</sup> This form of manumission occurred in the commercial cities, such as Tripoli and Ghadames, where the slaves could find opportunities to work in commerce as caravan workers.<sup>76</sup>

### **3.3 Deferred Manumission**

Freedom could be granted conditionally so that it would be implemented upon the death of the master, or after a period of time. During the period before this manumission, the slave was called *mudabbar*. Many slaves were registered in courts as *mudabbar*, in the absolute arrangement *‘itiq al-tadbir* that sealed the promise of their manumission.

Court records in Tripoli show five cases of deferred manumission, two of which clearly specified that after a period of time the slaves would be freed. A case in 1844 stated that a male slave called Bilal (Bornu origin) would be freed after five years. The document also mentioned that a sum of money of the value of twelve and half *mahbub* would be given to Bilal as a gift.<sup>77</sup> This was given to aid him begin his ‘new life’ as a free man. In another case in 1851, it was reported that a female slave called (Sudanese origin) would be free after six years, under the condition that she did not behave unsatisfactorily. If she did behave in a way that was not considered appropriate, she would remain enslaved for the rest of her life.<sup>78</sup> Similarly, in a Ghadames court record in 1878, a merchant called Hajj ‘Abdullah ibn Salah, from Ghadames, stated that his male slave named ‘Ali would have to serve him for seven

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<sup>73</sup> MLMDT (T), QA, SMSTG, No. 1388, p. 214.

<sup>74</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari‘iya 1174-1271h/1760-1854*, p. 59.

<sup>75</sup> Yusha‘, *Watha‘iq Ghadames*, vol.1, doc. no. 141, pp. 278-279.

<sup>76</sup> For full discussion of caravan workers, see Chapter Two.

<sup>77</sup> MLMDT (T), QA, SMSTG, No.1121, p.179.

<sup>78</sup> I, p. 174.

years from the date of certification, and after that he would be free like all free Muslims.<sup>79</sup>

A slave was also set free upon the death of the master, only if this was the master's wish and was recorded in a written will. Three examples of the court records in Tripoli show this type of manumission. Two cases stated the release of the slave at the death of their masters by written will. An example of manumission due to the death of the slave's master occurred in 1853, when a master testified in court that his male slave, called Sa'd, would be free after his death. However, once the slave was free he would have to care for the master's two sons, Muhammad and 'Abdullah, until the age of puberty, so it was not technical freedom but substantive slavery.<sup>80</sup> This demonstrates that even though some slaves were free in the eyes of court, they still had to abide to the command of their previous or deceased masters, which indicated their lower status in society.

Another similar case reported that in 1854, a master suffering from illness stated that his male slave called Khir (Sudanese origin) would be free after his death, but that once emancipation occurred Khir would be entrusted the responsibility of being the guardian to the master's son until puberty.<sup>81</sup> Yet another example of deferred manumission was that of a master who possessed a Sudanese slave and requested in his will that upon his death, that his slave should be set free but remained working as a servant to his daughter Khadija.<sup>82</sup> This again indicates that the freed slave was constrained due to the master's will. Similarly, in Ghadames, notes in the records of the courts in 1898 stated that if a master travelled for a long period of time, and was afraid that he may not return to his country and check on his children, his slave was required to look after his sons until the age of puberty and his daughters until they got married. After this requirement was fulfilled the slave was to be free.<sup>83</sup>

According to these emancipation documents slaves could obtain their freedom after a period of time or on the death of their masters. However, the majority of the cases showed that emancipated masters put an obligation on the emancipation. This leads us to assume that when the slave was free from all obligations, many years

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<sup>79</sup> Marwan, *al-Haya al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, p. 556.

<sup>80</sup> MLMDT (T), QA, SMSTG, No. 1011, p. 205.

<sup>81</sup> Ibid, p. 42.

<sup>82</sup> Ibid, p. 64.

<sup>83</sup> MG, SMGS, 1316-1321(1898-1890), p. 44.

would have passed and the days of usefulness would be over by the time of obtaining their freedom. So even if the manumission occurred, many slave owners never really suffered a great sacrifice. However, two of the cases were complaints by the ex-slaves against the deceased master's families, who refused to give the slaves their manumission. After hearing testimonies of witnesses, the slaves were freed. This reflects the economic value of slaves as trade commodities for the deceased master's families, because slaveholders in Libya were obliged morally and legally in front of the community to provide food, shelter and security for the slaves that they had obtained. Finally, one emancipation document written in 1851 clearly implied that a man freed his slave Bilal in 1844 when he was in good health. The document states that the master deferred his freedom after four years and gave his slave twelve and half *mahbub*.<sup>84</sup> This was considered a large sum in the nineteenth century. On the other hand, the age of the slave was not documented, so one could question whether the slave was set free due to his decreasing importance.

### **3.4 Manumission of Concubines**

One form of relationship between master and slave of the opposite sex, was that of concubinage. This was the most common status under which female slaves were held, in the Islamic world, especially in Africa and Middle East. While the number of wives a man could marry was restricted to four, he could have limitless concubines with whom he could have premarital and extramarital sexual relations.<sup>85</sup>

According to Malik ibn Anas, under Islam, a man had the right to sexual relations with his female slaves.<sup>86</sup> This right socially impacted the growth of *umm al-walad* (a female slave that bears a child for her master) status. Such a female slave acquires a new status under the Islamic law and becomes free upon the death of her master. Anas proclaims that if a female slave bears a child for her master, then he is not allowed to sell, give away or bequeath her.<sup>87</sup> However, Ahmad Sikainga argues that merely determining the status of female slaves by just simply focusing on these

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<sup>84</sup> MLMDT (T), QA, SMSTG, No. 1121, p. 179.

<sup>85</sup> Orland Patterson, *Slavery and Social Death, A Comparative Study*, (Harvard University Press, 1982), p. 228.

<sup>86</sup> Malik ibn Anas is a Muslim legist who played an important role in formulating early Islamic legal doctrines. <http://www.britannica.com/EBchecked/topic/360187/Malik-ibn-Anas> [accessed 10-1-2015]

<sup>87</sup> El Hamel, *Black Morocco*, p. 50.

rules is misleading. Instead the economic and societal positions of female slaves should be considered. In other words, a clearer picture of the status of female slaves could be achieved not just by looking at the formal Qur'anic injunctions, but more specifically at its application in different situations throughout history. Indeed, the law could be applied or ignored as it suited the user.<sup>88</sup>

In Libya, sexual relationships between masters and female slaves were common. For instance, traveller John Francis Lyon mentioned in 1818, after visiting Fezzan, that using female slaves as mistresses was rife among masters there. However, female slaves who had delivered a child were not sold, but the child did remain in the possession of its father. The master might find the mother a husband later. However, her child from that master was considered free, and enjoyed all the rights the free people enjoy. Interestingly, if the female slave conceived from another male, her child became a slave and was counted as her master's property. As such she would have no right to decide upon the child as long as she was enslaved.<sup>89</sup>

Traveller James Richardson, who visited Ghadames in 1845, pointed out the prevalence of master/slave sexual relationships, especially among the merchants who had to cross the Sahara, who used to stay away from home for such a long period of time, that he had to get another wife or a slave concubine in the places where they traded. Traditionally, every merchant had a wife and concubines in each place he had to cross and stay for a while. Indeed, a huge number of Ghadames children were born in Timbuktu.<sup>90</sup> One of the consequences of such a temporary, sexual relationship was the evolution in the colour of the skin of the descendants. Ghutlub Karawza, the explorer, visited Ghadames and mentioned an example of such evolution in the skin colour, which was al-Thani family, a significant family in Ghadames, whose ancestors were from Ghadames but their skin colour was different from the rest of the Ghadames inhabitants.<sup>91</sup>

Similarly, according to the explorer Gerhard Rohlfs' observations, who visited Fezzan between 1856 and 1867, the white-master/black-slave pairings,

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<sup>88</sup> Sikainga, 'Shari'a Courts and the Mmanumission of Female Slave', p. 8.

<sup>89</sup> Lyon, *Min Tarabulus hatta Fezzan*, p. 156. For similar cases in Egypt and Morocco, see: Judith Tucker, *Women in Nineteenth Century Egypt* (Cambridge: Cambridge University Press, 1985) p. 180; El Hamel, *Black Morocco*, pp. 192-196.

<sup>90</sup> Richardson, *Tirhal fi al-Sahra*, pp. 91, 122.

<sup>91</sup> Ghutlub Adulif Karawza, *al-Dwakhil al-Libiya*, Tran by 'Imad al-Din Ghanim ( Tripoli: Markaz Dirasat Jihad al-Libiyin, 1998),p. 172

resulted in differences in the skin colour of family members. The case was of al-Hajj Hamid, son of the well-known Sidi Muhammad ibn Eqjir, a *sharif* from the area of Wazin. Al-Hajj Hamid had black skin, yet his parents were white. This was because the mother of Sidi Muhammad ibn Eqjir (the father) was black. Such a case was prevalent and in most cases the child appeared to belong to a black family. So, the skin colour of those people ranges from dark black, to pale white, to Malawian pale, with dark hair.<sup>92</sup> An interviewee in Tripoli expressed a similar view. He stated that it was very usual in Tripoli to have children by concubines. For example, three notable families whose fathers worked in the caravan trade between Tripoli and Kano had three children from concubines as evident by the change in skin colour.<sup>93</sup>

As records show, acknowledging the concubine as a wife was very rare. Records of the court mention several examples about masters who acknowledged the child as their own when the concubine conceived. Rich merchants of Ghadames acknowledged their children from slaves in their wills by granting them freedom, but the mothers remained enslaved, which in some cases enraged the children of those slaves. Commercial documents and correspondence reveal how a female slave was treated once she declared herself to be pregnant. For instance, a merchant called Muhammad Hadir, one of the prominent merchants of Ghadames, had a female slave fall pregnant through concubinage while he was in Kano, after which he sent her with his agent Muhammad ibn ‘Ammar to Ghat in order to have her sold. However, after the agent discovered her pregnancy and learnt via enquiry from the female slave that it belonged to her former master, the agent contacted the merchant Muhammed Hadir and made him aware that the woman was no longer a subject of sale. In a later letter he sent to the master, the agent informed him that she gave birth to a baby boy and should not be sold.<sup>94</sup> The same can be said regarding the treatment of female slaves in Tripoli. In 1842, ‘Abdullah Agha ibn Suliman, a follower of al-As‘ad Pasha, presented and acknowledged that his slave, who was called Hawwah, was pregnant by him and that he had kept her in custody of al-Hajj Ahmad ibn Muhammad al-Shami so he would sponsor her and to feed and clothe her. Al-Shami

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<sup>92</sup> Rohlf, *Rihla ‘Bra Africa*, p. 270.

<sup>93</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013.

<sup>94</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima‘iya wa al-Thaqafiya*, doc .no. 27, p. 889. For similar case in the court record of Egypt, see: Tucker, *Women in Nineteenth-Century Egypt*, p.183.



had also been paid by the above mentioned ‘Abdullah 50 *mahbub*; he (al-Shami) had acknowledged that he was paid the grant and consented to do the task.<sup>95</sup>

However, the court faced a lot of problems when dealing with concubines, such as who was the child of the father and how they could prove that, and what the difference was between the concubine and wife. The records, according to Marwan, brim with cases of female slaves suing their masters in order to prove that the intercourse took place, and that the embryo belonged to the master, in which the master refused to acknowledge the intercourse or the baby. The judge usually decided on these cases that the concubines remained in their master’s possession. For instance, on 10<sup>th</sup> Safar 1271 (1-November-1854), at the *shari’a* court in front of the judge of the province of Tripoli, Zahra *al-zinjiya*, a slave of Salam bin al-Hajj Muhammad al-Ziqali‘i, claimed that Muhammad, the son of her master, had intercourse with her, and that she had conceived and given birth to a baby girl. The alleged father denied the baby was his daughter, and the master did not believe that baby girl was from his son. After hearing them both, the judge decided that the slave and her baby should remain the property of the master who would have all rights over them.<sup>96</sup>

Another example occurred in the case of *al-zinjiya* slave in 1854. A female slave called Fatima from Sudan made court claims against her master Muhamad ibn ‘Abdullah al-Mijrab. She stated that her master had sexual relationship with her which resulted in the birth of a baby boy. Her master wanted to sell her, but she claimed that he had no such right to do so since her status had changed to that of a free person by virtue of being the mother of his son (*umm al-walad*). Nonetheless, the master denied any such intercourse and the baby. The judge’s decision was that the slave remained in her master’s possession and he had the right to sell her with her son.<sup>97</sup> Furthermore, the records of the preceding court mention a case dated in 1841 by the presenter of Salma on behalf of her daughter ‘Aisha against al-Hajj Muhammad bin Ma’tuiq al-Misliti. It was claimed that when ‘Aisha, the mother of Salma, was in the possession of al-Hajj Muhammad al-Sharif, he impregnated her and then sold her. She requested that the father acknowledge his daughter ‘Aisha.<sup>98</sup>

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<sup>95</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari’iya 1760-1854*, p. 53.

<sup>96</sup> Ibid, p. 53. For a similar case in Egypt, see: Tucker, *Women in Nineteenth-Century Egypt*, p. 184.

<sup>97</sup> MLMDT (T), QA, SMSTG, No.1011, p. 113.

<sup>98</sup> Ibid, No. 18, 1256-1259 (1840-1843), p. 54

In other cases, acknowledgement of the child did not mean that the mother could gain freedom. This can be understood from a message sent by a son of a slave to the master (also his father). He was Emehemed ibn al-Hajj Ahmad al-Thani, who sent a message to his father condemning him for not informing him about his mother's wellbeing. In the letter sent by Emehemed ibn al-Hajj Ahmad al-Thani, he wrote that:

I reproach you sidi for not mentioning our mother or how is she doing as she is still in your possession and we entrusted you... we are her sons even if she was a slave, she is our mother, give her our regards... Salam.<sup>99</sup>

Although the *shari'a* grants the wife the right to inherit from her husband, most of the cases mentioned in the records of courts of Ghadames ignored the status of the concubine, at least being in terms of being freed on the death of their master. The records of Ghadames *shari'a* court indicate in 1900 that al-Hajj Ahmad ibn al-Hajj Hammuda, a prominent merchant of Ghadames and resident of bani Dirar street, stated in court that he planned to travel to Ghat, that he had five concubines amongst his slaves, and that he had children to all them. He was of sound mind, and acknowledged to have children to his concubines, namely: 1) al-Hajj Qassim, an adult, his son to his concubine 'Aisha bint 'Abdullah, 2) al-Hajj Abubakr, an adult, his son to his concubine Jumma'a, 3) 'Aisha, an adult, his daughter to his concubine 'Ayisha bint 'Abdullah, 4) Jaziya, a mentally handicapped adult, his daughter to his concubine Fatima bint 'Abdullah, 5) Fatima, 15 years old and Mariam, 8 years old, daughters to his concubine Khadija.<sup>100</sup>

Another example concerns the acknowledgment by older children of their father's estate. Mamma and Fatima, children of Muhammad ibn al-shaykh Qassim ibn Muhammad, resident of Tasku Street in Ghadames, acknowledged to the judge that their father travelled to Tripoli in 1298/1880 on a commercial mission, and he passed away there. His estate was to be inherited by only his young children, 1) Muhammad Mutadia and his sisters Fatima and Mamma from the deceased wife 'Aisha bint Abunakir al-Wihashi, 2) 'Aisha, Khadija and Minani, daughters to his concubines Halima and Zainab. In sum, they were six children - one boy and five

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<sup>99</sup> MLMDT (T), QA, *Milfat al-Tijara* [Files of Trade], file. no.42, doc .no: 87.

<sup>100</sup> MG, SMGS, 1316-1324 (1898-1906), pp. 161-162.

girls.<sup>101</sup> Similarly, a lady requested estate guardianship to take charge of her children and a child of her husband to his concubine. This was due to the death of her husband who did not leave a will. Fatima bint al-Hajj Muhammad al-Faqih was the wife of Ahmad bin al-Faqih, who died in Sudan in 1317/1900 while he was in a trade trip. His estate would be inherited by his wife, and by his children Muhammad and ‘Aisha to his wife, and by his child ‘Abdullh to his concubine Hawwah, who was in Sudan at the time.<sup>102</sup>

There were a number of racial differences between the way concubines and free born-wives were treated by their husband and perceived by society. According to Bashir Yusha‘ in Ghadames, female slaves that married their masters did not dress the same as free born women, and masters in Ghadames disliked staying in a private house with their concubine without their free born wife. The burden of maintaining that the household was in order was carried out by the concubine. Also, she was not able to attend weddings, funerals, walk on the streets without the presence of the free born wife.<sup>103</sup> However, there are cases in which the master did allocate some of his estate to his *umm al-walad* (mother of his child) to inherit after his death. A case was mentioned in the records of Tripoli shar‘a court in 1836, which shows that the master assigned the allowance of Mas‘uda al-Birnawiya to be 10330 *qrish* of the whole sum.<sup>104</sup> Yet as records and travel accounts show, acknowledging the concubine as a wife was very rare. Miss Richard Tully gave an example in which the Qaramanli ruler (‘Ali Pasha) married his black female slave, and moved her to live in a house in Bab Manshiya, one of the most beautiful areas in Tripoli.<sup>105</sup>

Another case stated in 1307/1890 that al-Qiwal Akghasi Tahir Effendi emancipated his concubine called Kharafat, who complained against the heir of the deceased master who refused to give her share of the property, in addition to her bride price. After hearing the testimonies of witnesses, the case was accepted and the slave became free, and the judge ordered the defendant to pay Kharafat her bride-payment from her husband property.<sup>106</sup> Likewise in Sudan, the heirs of freeborn members of the family often resented the share of the ex-slave wives.<sup>107</sup> Another

<sup>101</sup> MG, SMGS, 1316-1324 (1898-1906), p.147.

<sup>102</sup> Ibid, p.141.

<sup>103</sup> Yusha‘, ‘*al-Raqiq fi Ghadames*’, p. 33, 36.

<sup>104</sup> MLMDT (T), QA, SMSTG, No. 13, p. 77.

<sup>105</sup> Tully, ‘*Ashar Sanawat fi Balat Tarbulas*’, p. 287.

<sup>106</sup> MLMDT (T), QA, SMSTG, No.801, p. 68

<sup>107</sup> Sikainga, ‘Shari’a Courts and the Manumission of Female slaves’, p.8.

case from the court record in 1310/1893 provided testimonial proof of both a document emancipation and marriage contract in which were created in 1865.<sup>108</sup> Similarly in Ghadames, in the 1317/1900 inventory of the estate of al-Hajj Muhammad ibn al-Hajj Ahmad Musa, his emancipated female slave called al-Rab‘a, and the mother of his son named Bashir (three years old), were his only heirs.<sup>109</sup> This shows that the mother of the son (*umm al-walad*) could, on occasion, inherit from her master.

In conclusion, the freeing of slaves in Tripoli and Ghadames was incorporated into the Islamic understanding of slavery. Freeing slaves by virtue of piety (piety emancipation) was the most common form by which slaves gained freedom as indicated by Ghadames documents and Tripoli courts. This was because of the associated reward of pleasing Allah and being spared the torment of hell fire as stated in the Qur’an and Hadith. The documents also indicate that emancipation of slaves which took place both in the first half of the nineteenth century during and after slave trade was abolished.

Limited resources exist on the number of slaves that were emancipated prior to and after the abolition of slavery in Libya in 1856. Nonetheless, it is well known via reports in Tripoli that most slaves maintained close relationships with their former masters after emancipation. For instance, records show that between the 21<sup>st</sup> of August and 1<sup>st</sup> of October 1879, twelve slaves that were emancipated and given their freedom papers in Tripoli and Benghazi by the Italian embassy (in collaboration with the British embassy) returned to their former masters. Italian historian Ettore Rossi emphasized that the emancipated slaves were “unable to start their separate lives away from their ex-masters” and argues that this was because of the relatively benign treatment of slaves under Islamic law.<sup>110</sup> Another possible interpretation of the close relationships that were maintained after slavery between masters and the enslaved is that clientship and proximity were the products of economic constraints.

The laws of emancipation in Libya were enforced in 1896 due to the international restriction on Libyan slave trade.<sup>111</sup> The Ottoman ruler in Libya,

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<sup>108</sup> (MLMDT (T), QA, SMSTG, No.930, p. 117.

<sup>109</sup> MG, SMGS, 1316-1324 (1898-1906), p. 251.

<sup>110</sup> Rossi, *Libya Mundhu al-Fath al-‘Arabi*, p.452.

<sup>111</sup> For more information, see: B.G. Martin, ‘Ahmad Rasim Pasha and the Suppression of the Fezzan Slave Trade, 1881-1896’, in *Slaves and Slavery in Muslim Africa*, Vol. II, pp. 51-82.

Ahmad Rasim Pasha passed the law that all slaves should be freed, and anyone found indulging in slavery should be punished. The male slave was also to be provided food and accommodation until he found a job, while a female slave was to be taken care of till she got married.<sup>112</sup> Thus, many were in enslavement at that time. This reflects the limited impact of the 1856 decrees of emancipation. Yet despite the ruling, many slaves still worked as domestic and caravan workers long afterwards, as evidenced by documents and interviews covered in this chapter. It is believed that many citizens of Ghadames had no concern for the international resolution or the Ottoman ruler's decision to abolish slavery. According to Yusha' and Marwan, masters continued to have domestic and caravan workers until 1914. Evidence of this is the 1914 letter sent to Mukhtar in Ghadames by his father Abubakr al-Thani, requesting the construction of a slave home.<sup>113</sup>

Thus many masters did not free their slaves even after the abolition of slave. Their argument was that Allah gave them the license to own a slave. So although they stopped trading in slaves, they owned many until 1930, when some masters became poor and were unable to provide basic essentials for slaves after the demise of caravan trade. Hence they were forced to set their slaves free. This group emancipation marked the beginning of the wage labour era.

Similarly, until the first decade of the twentieth century, masters used female slaves as concubines without giving them their freedom papers. This fact was made clear via previously analysed concubine cases. This form of slavery continued until the late 1940s. One such example is a case brought to court in 1946. The case confirmed, via self-testimony in the presence of two witnesses, that Muhammad ibn Wantjak owned a female slave (Zahra bint Mubark), her four sons (Aghura, Ghabw, Himyda, Muhammad) and 'Abdulnabi with his daughter (Fatima). He proclaimed that he set them free for the love of God with no other duty but that of loyalty to him as stated by the Islamic law.<sup>114</sup> This shows an example of a master who owned a family of slaves, confirming that slavery continued after the abolition and compulsory emancipation of slave trade. It is not known why the master kept his slaves until this time, but it can be assumed that he set them free because of his inability to provide for them. This scenario concurs with the view obtained via my

<sup>112</sup> MLMDT (T), QA, *al-Silnama*, pp. 195-196.

<sup>113</sup> Yusha', 'al-Raqiq fi Ghadames', p. 31.

<sup>114</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, doc .no. 101, p. 1041.

interviews, namely that masters considered slave emancipation as a choice; some emancipated slaves out of the fear of Allah, while others did not.<sup>115</sup>

### **3.5 Papers of Emancipation**

There were rituals to be followed once a slave was given his/her freedom after the death of his/her master. Court records in Tripoli stated that slaves called *mudabbar*, (deferred manumission) received freedom during funeral of the deceased master.<sup>116</sup> They walked behind him (the master) raising the banner of emancipation, which appeared as a distinctive sign for everyone who participated in the funeral, then the slaves were given their emancipation papers.<sup>117</sup> Similarly in Tunisia, it was customary that slaves attended the funeral of the deceased master. For example, following the death of the Bey of Tunis in 1835, his successor ordered 600 female slaves and 200 male slaves to be freed, and they carried around their necks their emancipation documents.<sup>118</sup> However, it was noted that some heirs of the deceased masters tried to prevent the slaves from implementing the rituals of the emancipation. In 1852, a female slave Khadija, who was a resident of Tripoli, complained against the son of her deceased master, Fatima. She stated that her master Fatima had told her when she was alive to serve her until she died, and then she would be free, but when she wanted to go out in her funeral, her son prevented her from that, asking him to give her emancipation.<sup>119</sup>

Freed slaves had nonetheless to keep their manumission papers with them, because without such papers they could be picked up and returned to enslavement. This happened in 1853 to Muhammad *al-shwashan*, who was given his paper manumission by ‘Abdullah, the son of his dead master, whose wife tricked him and took his manumission paper. He then went to court and asked them to give the paper back.<sup>120</sup> Court records stated a similar complaint in 1854 in which Khir, a male slave, accused the brother of his deceased master of refusing to give him paper

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<sup>115</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011; Interview with Ali, by Amal Altaleb, Ghadames, 13 /7/201.

<sup>116</sup> MLMDT (T), QA, SMSTG, No. 1388, p. 255.

<sup>117</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013; Marwan, *Sijillat Mahkama Tarablus al-Shari‘iya 1760-1854*, p. 62.

<sup>118</sup> al-Tamimi, ‘al-Raqiq wa A‘dadhim’, p.592. For similar view in Morocco see: Ennaji, *Serving the Master*, p. 55.

<sup>119</sup> Marwan, *Sijillat Mahkama Tarablus al-Shari‘iya 1760-1854*, p. 62.

<sup>120</sup> Ibid, pp. 62-63.

manumission. After knowing that he lost his paper manumission, he then sold him to another master. The defendant was summoned, and stated that he did not know that his brother had emancipated him, but after hearing testimonies the case was accepted and slave became free.<sup>121</sup> There is another case submitted by the heirs of Yusuf Mustafa al-Hishani against the commandment of their father, who recommended in his will that the two female slaves, Fatima, and her small daughter Mas'uda, the servants of his daughters 'Aisha and Halumma, should be freed. However, they came into the court and the rule of the judge invalidated the emancipation because the diseased master did not tell his heirs about the emancipation.<sup>122</sup>

Slaves were very careful in obtaining a copy of their emancipation documents to help them face any problems that might lie ahead in future, so they would not fall back into slavery again. The registers of the court in Ghadames show that how happy ex-slaves were after obtaining their manumission paper - for example, the letter written in 1877 by ex-slave Muhammad to thank his master, trader Emehemed al-Thani who gave him his manumission paper.<sup>123</sup> This shows the social and emotional importance of the manumission letter for the slaves. Another example of a manumission letter is from Charles Dickson British vice-consul in Ghadames, who stated in his correspondence in 1858 that the ruler of Tripoli emancipated 20 slaves that he had obtained in Ghadames from a Tunisian merchant who worked for the Bey (governor) of Tunisia and sent ex-slaves to Tunisia. However, one of the female ex-slaves insisted that he should give her a manumission letter, to help her face any problems for when she arrived in Tunisia. She was afraid that the Bey of Tunisia would arrest her and then her children would be enslaved if she got married.<sup>124</sup>

## **Conclusion**

This chapter has looked at the four main forms of manumission. These are manumission as a pious act, self-purchase, manumission after the master's death, and manumission of a concubine who had given birth to her master's child. The court records, travel accounts, Ghadames documents and memoirs of Hassan al-Faqih

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<sup>121</sup> MLMDT (T), QA, SMSTG, No. 1011, p. 42

<sup>122</sup> Ibid, No. 1388, p. 40.

<sup>123</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, doc. no. 98, p. 1038.

<sup>124</sup> NA, Fo, 160/13, 23-February-1858.

Hassan all emphasise continuity in manumission. They demonstrate that the types of emancipation had not changed, and that the motives for manumission and the process of manumission, as well as the experiences after manumission, were more marked by continuity than change during the nineteenth and early twenty centuries.

Some interventions, such as the British campaigns for the abolition of the slave trade, changed the caravan trade during the Ottoman Empire. It may have impacted on the demographics of slave population, but court records show striking continuity in the motives behind manumission and the process in which slaves were freed. During the second half of the nineteenth century, the process of gradual emancipation that emerged in Libya reinforced the relationships of clientalism that had been central to the mechanisms of manumission during slavery.



## **Chapter Four: The Aftermath of Manumission**

### **Introduction**

To the present day in North Africa, a man with negroid features, even of the highest social status, is sometimes described as oullad al-khadem (the son of slave women). Similar attitudes seem to have persisted among the Bedouin, though much less among the townspeople in the Middle East.<sup>1</sup>

The British historian Bernard Lewis argues that racial stigma has been a long-standing legacy of slavery in North Africa, using evidence from traveller's accounts to highlight the difference between urban and rural visions of race. For instance, in the cities, sexual relations and marriages between masters and black female slaves were not unusual. However, among Bedouins (nomads), marriages with slaves were considered shameful.<sup>2</sup> Other scholars such as Judith Tucker, Terence Walz, Mohammed Ennaji, and 'Imid Hilal used legal sources, documents and census data to emphasize the continuing dependency of ex-slaves on their masters.<sup>3</sup> Nonetheless, there have been few social histories exploring manumission and complicated meanings of freedom.

In contrast, scholars like Paul Lovejoy, Jan Hogendorn, Suzanne Miers, Richard Roberts and Frederick Cooper investigated slave labour, the effect of the abolition of slavery and the process of slave trade abolition in Africa.<sup>4</sup> These studies reveal new information about the relationship between manumission and abolition, the struggle of slaves in the society, and the extent to which the relationship between former masters and former slaves changed after the end of slavery. It has been stated that being free does not necessarily mean freedom; ex-slaves still had to struggle to obtain autonomy. The majority of the studies on the abolition of slavery in Africa emphasised social or economic conflicts which affected the end of slavery and the relationship between slaves and societies. However, in comparison to studies about slavery in Libya, this is not the case. Scholars such as John Wright and Muhammad

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<sup>1</sup> Lewis, *Race and Slavery in the Middle East*, p. 90.

<sup>2</sup> Ibid, pp.90-91.

<sup>3</sup> Tucker, *Women in Nineteenth Century*; Hilal, *al-Raqiq fi Misr*; Walz, 'Sudanese, Habasha, Takarna, and Barabira'; Ennaji, *Serving the Master*.

<sup>4</sup> Lovejoy and Hogendorn, *Slow Death for Slavery*; Cooper, *From Slaves to Squatters*; Miers and Roberts (eds), *The End of Slavery in Africa*.

Marwan have limited their research work to slave trade without analysis of the context of the social history of slavery.<sup>5</sup> Very little attention has been placed on divorce, marriage, and the different processes of manumission which will contribute a wholesome view to the slavery in Libya. This chapter borrows the methodology from work on other manumission societies. It shows that issues prevalent in North Africa and Sub-Saharan Africa such as clientship, wage labour, and the struggle of slaves in the society were also in existence in Libya. Indeed, these issues played a vital role in the social and work life of slaves after manumission in Libya.

The originality of this chapter stems from its combination of sources that allow for a more comprehensive understanding of the process of emancipation and life after abolition of slavery. Court records, merchant correspondences, travel accounts, interviews, and diaries reveal the complex ways in which the process of emancipation worked in the late nineteenth and early twentieth century.

The pervious chapter discussed the set of legal and social institutions that make it possible for slaves to earn their freedom. These institutions developed over a long period of time but the shifts within them were relatively minor. After slaves were free, they were primarily faced with the problem of grappling for clientship (*al-wala'*) with their former masters in order to fit in the world. It is understood from various accounts that slaves were emancipated but the legacy of slavery remained the same. This was largely due to the fact that slave abolition was not really economically and politically feasible since masters did not want to lose their slaves. Hence, clientage in many ways served as a substitute for slave status, and could be argued was the best choice available for masters at the time; slaves continued with their responsibilities even after their freedom and a racial stigma persisted which still exists to this day.

This chapter demonstrates two complexes of employments in Tripoli and Ghadames: caravan workers and wage labourers. Some former slaves unquestionably improved their status, and a substantial minority who acquired good skills became important and powerful members of society, such as caravan workers and agents. This was particularly the case when they were able to retain close ties with the families who had owned them. On the other hand there were low wage labourers.

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<sup>5</sup> Wright, *The Trans-Saharan Slave Trade*; Marwan, *al-Hayat al-iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*.

Many ex-slaves who retained or broke ties with their former masters still worked for very low wages. This sort of ill treatment was prevalent in Tripoli and Ghadames. In fact, interviews conducted in Ghadames confirm that participants sometimes avoided talking about wage labourers. However, it is clear from other participants from Fezzan and case records in Tripoli that a struggle was going on; former slaves were sometimes forced to work on no wages. Hence, being set free was sometimes worse than being a slave, because free slave had no rights to claim under occupational circumstances.

This chapter describes two different societies of free slaves, which were caravan workers and domestic servants, in Ghadames, Fezzan and Tripoli. This includes a discussion of how these societies were changed by emancipation. It also analyses the impact of the end of slavery on the social status of slaves already manumitted prior to the formal abolition of slavery. Ex-slaves were stigmatized such that free slaves did not have entirely the same rights as people who were born free. For example, at the end of the nineteenth century local customs forbade marriage between freed slaves and the free-born. Despite this, manumitted slaves did go to court to claim rights, positions and obligations, thus revealing the ways in which former slaves responded to changes in their status.

This chapter discusses key elements in the social lives of freed people by looking firstly at the economic ties of ex-slaves (caravan workers, wage labourers, child labour) with their former masters after emancipation, and then at how ex-slaves experienced family life, and finally how the relationship between ex-slaves and masters changed after emancipation into a form of clientship (*al-wala'*). I will also explore the patterns of marriage and divorce in communities of former slaves, and analyse the impact of divorce on female slaves and how this was legally justified.

#### **4.1 Post-Emancipation Economic Ties**

Although former slaves fought for their freedom and independence, their personal autonomy was limited by the nature of their available options. Emancipation represented a major event, which opened a horizon of opportunity for ex-slaves. However, embodied economic, social and political factors and personal experiences often hindered the successful emancipation of slaves. Freed slaves could attempt to

start a new life by reintegrating in their local community or finding a position in a different society. Those who chose to remain near their masters had to redefine their relationships and degree of dependency based on their new legal status.<sup>6</sup>

Assessing the proportion of slaves who chose one of the options discussed above proves difficult, due to limited statistical records from the nineteenth century. Officials often relied on estimates rather than the collection of accurate data. Thus, simply subtracting the number of slaves who moved away from the number of slaves who remained, is far from satisfactory, as evidence is too weak for the difference in the figures to be meaningful.<sup>7</sup> The number of ex-slaves was not large, especially compared to other countries such as Sudan.<sup>8</sup> According to information from the census of Italian residents, local workers and Ottoman documents from 1911, the approximate population of Ghadames in 1911 was 6,700, including the ex-slave population (*'attara* and *humran*) of 1,300, which was considered to be a small number. A similar situation was reported in Fezzan, where the male population of slaves and ex-slaves was 2,740 out of the total population of Fezzan, 54,200 persons in 1911.<sup>9</sup> Given the importance of female slavery in Libya, it therefore seems likely in Fezzan that women would outnumber both enslaved and manumitted men, and so therefore the total enslaved and ex-slave population would be at ten percent of the town.

#### **4.1.1 Caravan Workers**

Chapter Two showed that it was particularly common for many Ghadamisi families involved in caravan trade to use slaves as caravan workers and agents. It also argued that when people emerged from slavery, a large number retained a relationship with their former masters. Historical evidence indicates that the formerly enslaved preferred to remain near their ex-masters as their economic and social opportunities were otherwise limited. According to Ahmad, until 1930 emancipated male slaves in

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<sup>6</sup> *Miers and Roberts (eds)*, *The End of Slavery in Africa*, p. 33.

<sup>7</sup> *Ibid*, p. 37

<sup>8</sup> Ahmad Alawad Sikainga, 'Slavery and Social Life in Nineteenth century Turco-Egyptian Khartoum', in *Race and Slavery 'in the Middle East*, ed by Terence Walz and Kenneth M. Cuno (Cairo; New York, American University in Cairo Press, 2010), p. 153.

<sup>9</sup> Enrico De Agostini, *Sukan Libya*, trans by. Khalifa al-Tillisi, vol:1 (Tripoli :al-Dar al-'Arabiya lil-Kitab, 1974 ), pp. 534,563.

the leading trade city of Ghadames often became caravan workers or farmers working the land of their former masters, while freed women became servants to the families that had owned them.<sup>10</sup> They remained tied to their masters mainly due to a lack of employment opportunities outside the city's established economic activities. In addition, this relationship was further cemented through Islamic laws which encouraged masters to treat their slaves and ex-slaves with respect.<sup>11</sup> Similarly, in the city of Fezzan, the traveller Gustav Nachtigal in 1869 stated that slaves were treated as a part of the family, and that they did not complain and they did not attempt to return home. According to Nachtigal, their masters used them as caravan workers in the caravan trade to Bornu.<sup>12</sup>

In Africa, it was common to rely on enslaved labourers or former slaves who worked as caravan workers, messengers and commercial reprehensive.<sup>13</sup> In fact, we can see that in a large number of cases this ongoing relationship was important for both the ex-masters and former slaves, one family of which was particularly important in the commercial city of Ghadames. In fact, the business of the Ahmad al-Thani family was a perfect example of this. Ahmad al-Thani, the head of the family, was a leading figure in the caravan trade. Documents surrounding this trader show this wide commercial network operated in many regions of central and western Sudan.<sup>14</sup> During al-Thani's life he freed 40 of his slaves. One of his former slaves, called Abandi (of Sudanese origin), was bought by Ahmad al-Thani when he was young. He worked as his commercial agent in Kano. After his emancipation, he stayed close to his ex-master and worked the same job as a commercial agent in Kano and for Ahmad al-Thani's family after his former master's death.<sup>15</sup>

A critical study of their correspondence demonstrates the relationship between this former slave and the al-Thani family. One of the most striking features of the correspondence written is the level of respect accorded to the slave and that

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<sup>10</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7 /2011.

<sup>11</sup> Interview with Ali, by Amal Altaleb, Ghadames, 13/7/2012; Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7 /2011.

<sup>12</sup> Nachtigal, *al-Sahra' wa Bilad al-Sudan*, vol. 1.p. 252.

<sup>13</sup> Lydon and Walz cite evidences of slaves and former slaves who became commercial agents of their former masters in Tishit and Egypt. For more details, see: Lydon, *The Organization of Caravan Trade in Nineteenth and Twentieth Century Western Africa*, pp. 44-45; Walz, 'Black slavery in Egypt', pp. 148-149.

<sup>14</sup> For more details about Ahmad al-Thani's commercial network, see chapter One.

<sup>15</sup> Interview with al-Hajj Ramadan, by Amal Altaleb, Ghadames, 30/7/2011.

this was constantly articulated by the al-Thani family. For example, a letter written to Abandi by his former master's son al-Hajj Emehemed, who supervised his commercial network, addressed him as "the honoured Abandi."<sup>16</sup> Another letter sent by another son called al Bashir to his agent in Twat, begins with: "this is the reply from al-Bashir the son of... to his brother, and the honoured Abandi."<sup>17</sup> A third letter sent from a trader in Ghadames addressed him as the son of al hajj Ahmad al-Thani: "from your brother, Ali al- Hajj Muhammad al-Bahy, to our brother, Abandi, the son of al-Hajj Ahmad al-Thani."<sup>18</sup>

The mode of address in these letters says something substantive about the relationship between manumitted slaves and ex-masters. Some people may object and argue that this was the way business letters were written at that time, and thus there is no link between this form of writing and the respect accorded to a slave who received such business letter. However, standard letters exchanged between free-born citizens who were commercial partners started with salutations such as brother, honoured or hajj. This is evident in the letter sent from Muhammad ibn Muhammad ibn al-Hajj Abubakr al-Thani to the honoured cousin Sidi Ahmad ibn al hajj Abubakr al-Thani.<sup>19</sup>

Careful analysis of hundreds of Ghadames documents showed that respected slaves and ex-slaves were addressed as brothers, sons and honoured. However, the fact that these forms of salutation were the standard ways of greeting between business partners or associates cannot be ignored. Nonetheless these letters suggests that relationships between freeborn citizens, slaves and former slaves in the city of Ghadames could be close, familiar and respectful. Also, other evidence reveals that the afore-mentioned Abandi intervened in the reconciliation between Ahmad al-Thani's family members after a dispute. This dispute happened between the sons of

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<sup>16</sup> It is worth mentioning that in many documents the term *ghulam* was a common epithet for a male slave in Ghadames, whereas according to court records, slaves in Tripoli were generally referred to as emancipated slaves. Interviews with many residents of Ghadames showed that this term was used for both slaves and ex-slaves. It is clear in the Abandi case that the slave was free and this epithet was used by his master in many of the documents. Other evidences are from Ghadames documents such as the letter written in 1877 by ex-slave al-Hajj Muhammad in which he addressed himself as a *ghulam*. The letter was to thank his master, trader Muhammad Thiny who gave him his manumission paper. Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, doc .no. 98, p. 1038. Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011; Interview with Ali, by Amal Altaleb, Ghadames, 13 /7/2012.

<sup>17</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, pp. 548-550

<sup>18</sup> Ibid, doc. no. 34, p. 904.

<sup>19</sup> Yusha', *Watha'iq Ghadames*, vol.2, doc. no.21, p. 74.

Ahmad al-Thani after his death. Abandi served as the intermediary between the disputing partners; in a letter dated 1872 sent from Abandi to the son of his ex-master Emehemed, he advised him to be with his brothers as one man, and not listen to anyone who wanted disagreement between the family. He also advised him of the need to choose good clients and agents in order to save their money. Moreover, Abandi asked Emehemed to pay attention and take care of a notable person from Bornu, during his staying in Ghadames and Tripoli.<sup>20</sup> Also, in 1867 the sons of Ahmad al-Thani sent a letter to Abandi praising him and explaining that they (the sons) considered him better than they had initially thought, stating “you were a good brother and son.” Moreover, they added that, “we are all the sons of one man; there is no noble man between us. God raises people by degrees when they do good deeds and there is no other measurement except that.”<sup>21</sup> This language of brotherhood and friendship shows the intimate relationship between Abandi and his former master’s family, as well as his importance to the latter.<sup>22</sup> This evidence suggests that Abandi was a part of the family, and as such the relationship between them was familiar and respectful.

According to his grandchild, Hajj Muhammad ‘Abdulsalam al-Thani, Abandi had a large family, and one of his sons, ‘Abdullah, became an official responsible for finance in the Kano Emirate of the Sokoto Caliphate in 1872. Moreover, the al-Thani family still maintains social relations with the Abandi family by visiting some of their family members who live in Tripoli.<sup>23</sup>

Similarly, the family of al Hajj ‘Abdullah ibn Muhammad al-Salah Harwin was involved in trade, and relied on their former slaves, particularly men named Barka, ‘Abdu, Abiri and Dawki. Hajj Dawki worked as a commercial agent in Kano for al-Hajj ‘Abdullah ibn Muhammad al-Salah Harwin, who had emancipated him. Dawki remained close to his ex-master and worked the same job for the family of al Hajj ‘Abdullah ibn Muhammad al-Salah Harwin. An insight into his correspondence demonstrates Dawki’s emancipation; the document addressed him not as *ghulam* or ‘*abid*, but as al-Hajj Dawki. The term hajj suggests the experience of slave pilgrim

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<sup>20</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima’iya wa al-Thaqafiya*, pp. 550-551

<sup>21</sup> Ibid, p. 550.

<sup>22</sup> For what a similar respect of slaves documented in Mali, see: Hall, ‘How Slaves Used Islam’, pp. 289-290.

<sup>23</sup> Interview with al-Hajj Ramadan, by Amal Altaieb, Ghadames, 30/7/2011.

ages. Until recently the terms was not just for a person who went on Hajj (pilgrimage), but also signified respect for such an individual. It was common at that time that merchants of Ghadames who went on pilgrimage were accompanied by their slaves. ‘Abdullah ibn Muhammad al-Salah Harwin was one of many merchants who went on Hajj seven times - each time he was accompanied by slaves. It is therefore likely that Dawki went on Hajj before his emancipation. This reflects the respect he received and shows that he was free and could start a new life in his hometown, Kano, even though he remained attached to his ex-master and rendered services to his family.

Furthermore, accounts between the ex-master’s son, ‘Abdullah, and Dawki, suggest that the latter was more knowledgeable about trade and market conditions. In a letter, Dawki listed goods that were in demand in Kano. Another piece of evidence indicates that Dawki was also respected in the city of Ghadames. A letter written to him in 1279/1862 by al-Hajj al-Tahar was full of greetings, congratulating him upon his return from Adwma, and insisting on making him his agent the following year in Adwma. He also informed him that he will send goods from Tripoli, and requested Dawki in return to sell those items and buy feathers.<sup>24</sup>

#### **4.1.2 Wage Labourers**

After the end of the caravan trade in 1930, slaveholders in Ghadames became unable to comply with the Islamic laws which dictated the provision of food, shelter and security to their slaves that they had purchased. Consequently, many masters were forced by their circumstances to free their slaves and make new arrangements (usually hiring free labourers). For this group emancipation marked the beginning of the era of wage labour. As a result, many ex-slaves chose to work on the land of their masters as the most immediate alternative; few had the resources necessary to move away. Common tasks performed by male slaves included ploughing, sowing and maintaining of irrigation systems. Women called *’attriyat* helped during the harvesting season; their occupations were usually selecting grain, then carrying the crops in big bags on the top of their heads from the farmers to the houses of their former masters for storage. Their jobs were also similar during the date harvesting;

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<sup>24</sup> Yusha’, *‘al -Raqiq fi Ghadames’*, pp. 26-28.



they selected the good dates from the rotten ones, but it is not clear how much exactly their former masters paid them. It is stated in interview that wages were taken in a form of percentage of the crops. In addition, they were often employed as servants in the houses of their former masters, being responsible for organising daily activities for the family such as preparing the food, cleaning the houses and child care, as well as doing all hard work at important events such as weddings and funerals.<sup>25</sup>

In some cases, ex-masters did not fulfil their duties to their former slaves whom they employed after the emancipation. For example, on 28-Sha‘ban-1317(31-December-1899), Sa‘d ibn Ruzkan, the emancipated slave of al-Bistawi al-Sanusi, claimed against Ahmad Effendi ibn ‘Umar, who was responsible for the treasury of Ghadames. He stated that in 1st-Sha‘ban 1316 (15-December-1898), ‘Izit Effendi had hired him as a servant for thirteen and a half *qrish*, and that he served ‘Izit Effendi for four months until the latter’s death. However, Ahmad Effendi ibn ‘Umar, who then took over the properties of ‘Izit Effendi, refused to pay the agreed sum. After a court heard testimonies from freed slaves in Ghadames, the dispute ended, and Sa‘d was paid his wages in full.<sup>26</sup> This case shows the different kind of occupations that ex-slaves undertook after their emancipation. Also, it reveals that many ex-slaves who found better jobs left employment with their ex-masters. That one such job involved working as servants with members of the Turkish elite (like ‘Izit Effendi) might suggest a kind of personal autonomy for former slaves in the community.

Society in Ghadames distinguished between several different classes, one of them the ‘*attara*.<sup>27</sup> The name applied to the children of emancipated slaves. The majority of the ‘*attara* lived in two-story houses in an isolated area of the original, city called Hai Amanij.<sup>28</sup> Their houses were called *dwir al-‘abid* (houses of slaves).

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<sup>25</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011; for a similar view about data harvesting in Algeria and Arabia see: Fisher and Fisher, *Slavery and Muslim Society*, pp. 57,113.

<sup>26</sup> MLMDT (T), QA, SMSTG, 1316-1324(1898-1906), pp. 106-107.

<sup>27</sup> NA, Fo.160/13, Correspondent from Charles Dickson, British vice-consul in Ghadames in 1850; for a similar view in Algeria see: Dennis D. Cordell, ‘No Liberty, No Much Equality, and Very Little Fraternity: the Mirage of Manumission in the Algerian Sahara in the Second Half of the Nineteenth Century’, *Slavery & Abolition*, 19 (1998), p. 43

<sup>28</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18/7/2011.

Freeborn citizens of free lineage lived in a different area, and in three-story houses.<sup>29</sup> Several slaves had the opportunity to earn money by working in the caravan trade or agriculture even before they gained their freedom. This enabled them to save towards the purchase of property after their emancipation, as a means of reintegration into society. Ahmad tried to emphasise that some of the slaves and former slaves in Ghadames lived close to their masters, even on the same road. However, some who could not afford houses lived in a separate area, where land had been provided for them on which to build. A good example comes from two ex-slaves who owned houses on Amazigh road in the *ahrar* (freemen) class district (Bani Walid).<sup>30</sup> Although oral testimonies indicate a free labour system, clear examples to illustrate the nature of wage labour in Ghadames could not be found due to stigma attached to this sensitive topic. People in Ghadames avoided answering questions such as how former slaves agreed with their landlords, how many hours they worked, and whether their wages were fair compensation for their work.

In my opinion, the reluctance of many informants to comment on this topic suggests a degree of ill treatment. One interviewee stated that, “we dealt with them and we need to forget what was going on”<sup>31</sup>. However, we can attempt to calculate the labour wages from other statements. An interview with a woman in Ghadames provided a glimpse of the hard menial work that their former slaves had to perform in their masters celebrations: “in the events of marriage and death our former slaves used to do everything cooking cleaning and serving the guests, we did not have to do anything and we did not even give them any wages, just amount of the food to feed their families, sometimes their children ate the remains of food.”<sup>32</sup> Similar views were expressed by another participant in Tripoli who had domestic slaves that worked for his family and who had retained their relationship with his family after their emancipation. When questioned about the wages given to their free slaves, his answer was that “we did not give money in return for their services; they worked with us just to get food to live and that was all.”<sup>33</sup> The same would presumably have happened in the agricultural sector, where labour wages were paid as a percentage of crops.

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<sup>29</sup> MG, SMSG, 1316-1324 (1898-1906), p. 73.

<sup>30</sup> Interview with Ahmad, by Amal Al-Taleb, Ghadames, 15, 17 and 18-June-2011.

<sup>31</sup> Interview with Ali, by Amal Altaleb, Ghadames, 13 /7/2012.

<sup>32</sup> Interview with Khadija, by Amal Altaleb, Ghadames, 11/7/2012.

<sup>33</sup> Interview with Munsif, by Amal Altaleb, Tripoli, 13/1/2013

We must therefore examine historical records from other locations in order to understand the wage labour system. Fezzan was one of the most famous caravan trade centres in North Africa in the nineteenth century. The annual report sent by the French administration in Fezzan to the General Assembly of the United Nations in 1950 states that there was still a kind of enslavement in Fezzan after the abolition of slave trade, where 219 of the rich owners of lands employed 995 *jabbdun*, with a harsh system of sharecropping. This name *jabbdun* applied to people who were poor and former slaves in Fezzan. Their jobs were to withdraw the water from the wells to irrigate farmland in exchange for a share of the crop according to initial agreement. The sharecropper *jabbad* draws water from a well using a donkey. In the suburb of al-Sha'ti in Fezzan, the singular of *jabbdun* was called *alrba'*. This name referred to what he gained from harvesting crops, which represented to a quarter of the crops.<sup>34</sup> There was an agreement between the landowners and the *jabbdun* (ex-slaves); until 1946, the *jabbdun* worked all week drawing water by *dalaw* from deep wells to irrigate the land.<sup>35</sup> However, the wage was not fair; for example, in the harvest season, quotes were distributed into: quarter for the *jabbad*, quarter for *dalaw*, quarter for seeds, and the last quarter for the land. The owner of the land gained three quarters of the crops without doing anything because he owned the land, *dalaw* and seeds, while *jabbdun* after six months of hard work gained just a quarter of the crops. As a result, presumably the *jabbdun* ex-slaves were forced after a few months of harvesting season to steal from their ex-masters or to remain in debt in order to avoid starvation. It was very difficult for the *jabbdun* to clear his debt given the small share he was given. Thus, masters were taking advantage of sharecropping in order to make sure their ex-slaves would continue to work for them, just as they did before during enslavement.<sup>36</sup>

This harsh labour wage system continued to be practiced until 1946, when the French Administration in Fezzan made many steps to improve the economic conditions of *jabbdun*. First, they forced landlords to give *jabbdun* a third of the crops instead of a quarter, and then they gave an exemption for *jabbdun* from paying

<sup>34</sup> MLMDT (T), QA, QWJ, [The Annual Report by the French Government for the region] of Fezzan in 1950, p. 14.

<sup>35</sup> *Dalaw*: is a tool used to withdraw water from the wells, in southern Libya the *jabbad* guided a donkey to extract water from the well in a goat skin water container (*dalaw*). Ahmida, *the Making of Modern Libya*, pp. 65-66, 213

<sup>36</sup> MLMDT (T), QA, QWJ, [The Annual Report by the French Government for the region of Fezzan in 1950, pp. 65-66.

the taxes as part of the crops. Secondly, they increased working hours during the week so they had just one day off (Friday).<sup>37</sup>

Bell's account claims the city of Kufra had a population of 5000 during the 1930s, from which 1500 were slaves. Within the village of Taj, almost half of the slave population lived with Senussiyya families, each family owning 100 slaves.<sup>38</sup> However, 700 slaves sought for work on private land. The subsequent year saw the Italian occupation accompanied with the release of these slaves. Some of them continued to work on the Senussiyya land under a group share-lease. Others acquired their own land, while the rest reverted to a state of dependency in relation to their ex-masters. The latter was marginally better than the conditions endured through slavery, since the ex-slaves were fed and clothed by their ex-master in exchange for their labour.<sup>39</sup>

#### **4.1.3 Clientship and the Economic Lives of Former Slaves**

Many emancipated slaves in Tripoli remained close to their old masters, whom they still regarded as their superiors, giving them little intention to return to their native country.<sup>40</sup> Two travellers, Nachtigal and Maltsan, noted that in 1869 in Tripoli that a slave who had been given his '*atiq* (freedom) stayed with his ex-master and often developed a relationship similar to that of a freed man in ancient Rome. For example, ex-slaves could participate in their ex-master's celebrations as a member of the family, having permission to establish an independent house if he wished to marry. This sort of relationship is called *al-wala'*, which may perhaps be rendered patronage.<sup>41</sup> Also, the emancipation documents available at the court records covered all forms of emancipation. These different forms dictated the nature of the relationship that the emancipated slave should have with his/her master after the

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<sup>37</sup> MLMDT (T), QA, QWJ, The Annual Report by the French, pp. 16-65, 66.

<sup>38</sup> Sennusiyya is one of Muslim Sufi brotherhoods recognized in 1837 by Sidi Muḥammad ibn 'Ali as-Sanusi. <http://www.britannica.com/EBchecked/topic/523417/Sanusiyah>; K. D Bell, *Hand Book on Cyrenaica* (Printed by the Printing and Stationery Services, 1945) pp. 7-8.

<sup>39</sup> Bell, *Hand Book*, pp. 7-8.

<sup>40</sup> Fisher and Fisher, *Slavery and Muslim Society*, pp. 43-51. For a similar view in Egypt, see: Ron Shaham, 'Masters, Their Freed Slaves, and the Waqf in Egypt (Eighteenth-Twentieth Centuries)', *Journal of the Economic and Social History of the Orient*, 43 (2000), p. 162.

<sup>41</sup> Hiziyysh Von Maltsan, *Fi Rihab Tarablus wa Tunis*, trans. by 'Imad al-Din Ghanim (Tripoli: al-Markaz al-Libi lil-Mahfuzat wa al-Dirasat al-Tarikhiyya 2008), pp. 315-316; pp. 93-94; Nachtigal, *al-Sahra' wa Bilad al-Sudan*, vol.1. p. 252.

process of emancipation. This relationship was usually described in terms of loyalty and allegiance to the ex-master. Continued loyalty towards the ex-master and benevolent behaviour towards the ex-slave were encouraged by Islamic law. According to the records of the Italian embassy, which participated with the British embassy in Tripoli and Benghazi in the abolition of the slave trade, between 21<sup>st</sup> August and 1st October 1879 the Italian embassy freed twelve slaves, and gave them their emancipation papers. However, those freedmen, as well as other emancipated slaves, returned to their masters. To quote Italian historian Ettore Rossi:

It was strange that programmes to emancipate the slaves faced serious difficulties, presented by these slaves themselves, many of whom returned to their masters after emancipation, unable to start their separate lives away from their ex-masters, and abandoning without regret their freedom which they did not want. This was in spite of the fact that food, shelter, and security for the emancipated slaves was provided. We may truthfully say that the condition of slaves in Islamic environments was not harsh, and were generally better treated than other slaves.<sup>42</sup>

This is an interesting story. It shows that Italians saw emancipation in a particular way - not just as a relationship in terms of providing food and shelter, but in terms of how masters treated their slaves. In contrast to Benghazi in 1907, a report sent from the Ministry of Foreign Affairs in Benghazi to the Ambassador of Italy stated that liberated slaves ran away to their former masters, because the Italian embassy which emancipated them had sent them to live in a small house without providing food for them.<sup>43</sup>

Hajj Ramadan related a story which exemplifies the experience of an ex-slave who remained voluntarily close to his ex-master in the city of Tripoli. Hajj Ramadan followed in the footsteps of his grandfather's father Ahmad, a leading trader. In 1940, Ahmad bought a female slave called Sassyah from Sudan when she was fourteen years old. For the piety of Allah, he emancipated her, and she then moved from Tripoli to Ghriyan to live with her husband. However, after they divorced, she went back with their children to live with her ex-master's family in al-Madina al-Qadima in Tripoli, where she worked as a servant in the house. Their daughter and son still have a close and loyal relationship with Hajj Muhammad Ramadan's family, even though their mother died in 1995. Her daughter, who is

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<sup>42</sup> Rossi, *Libya Mundhu al-Fath al-'Arabi*, p. 52

<sup>43</sup> MLMDT (T), QA, QWA, *Watha'iq Wazarit al-Kharjiya al-Italiya*, do. no.6, p. 1-5.

known in contemporary Tripoli (Mabrwka al-Qwdiya), still served the family on occasions such as parties and wedding feasts.<sup>44</sup>

Richard Tully also related a story which exemplifies the experience of an ex-slave who remained voluntarily close to his ex-master. The story began when a slave called Zahir went to the British Consul in Tripoli looking for employment. Although the consul apologized, as they were about to leave the city the slave insisted he employ him, due to his lack of any other means of supporting himself. His insistence, together with his good appearance as compared to other slaves, persuaded the consul to consider taking him on for employment. Zahir used to work as a servant for Sidi Hassan, a member of a noble family in Tripoli. Sidi Hassan had a close relationship with 'Ali al-Qaramanli, the head of the Qaramanli ruling family in Libya. After 'Ali al-Qaramanli's assassination in 1793, Sidi Hassan fled, leaving behind his Circassian wife and three children, who had previously been isolated, and thus had no social circle to rely on. The new regime intended to seize Sidi Hassan's property, including his slaves. Thus, Zahir asked his mistress to free him and promised consistency to provide food and shelter for her and her children. Although she initially refused, arguing that he would have a better life with the ruling family, she finally agreed to free him, and she explained to the guards of the new Qaramanli ruler that Zahir was emancipated as part of her marriage gift from her husband.

When Zahir obtained a job with the British consul in Tripoli and rented a house in another area, he continued to work with his former master's family until they left Tripoli. Zahir spent his life honouring his promise to his ex-mistress; he respected her and usually called her "my mistress" even after emancipation. He never used her actual name. The British consul then found Zahir another job with the Dutch consul in Tripoli, where he was responsible for buying and sending Arabic horses to the emperor of Austria.<sup>45</sup> This story demonstrates the experiences of ex-slaves who chose voluntarily to remain close with their former masters' families.

So far this section has looked at ex-slaves who remained close to their former masters and families. However, there are other stories that document the experiences of ex-slaves who in fact broke ties with their former masters. In an interview

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<sup>44</sup> Interview with al-Hajj Ramadan, by Amal Altaieb, Ghadames, 30/7/2011.

<sup>45</sup> Tully, *'Ashar Sanawat fi Balat Tarbulas*, pp. 569-570.

conducted in Tripoli, Zarruq related two stories about female slaves who were Zarwriq's neighbours in Tripoli during the twentieth century.<sup>46</sup> The first story was about a slave called Bahiya. She was captured in Kano on her way to do her mother's laundry, and subsequently forced to ride on a camel from Kano to Ghadames and then to Tripoli market. Her first master was one of the Turkish officials exiled to Ghadames. In 1910, at the age of seventeen, she was sold to a Turkish officer who resided in Tripoli and worked in the army during the regime of the ruler Ibrahim Pasha. Her master named her Bahiya. In 1912 she travelled to Turkey with her master who had been recalled by the president of Turkey, Mustafa Kemal Atatürk (1881-1938) during the wars of Turkey. She learnt the art of cooking, cleaning and other domestic chores while with her master. Prior to the Turkish officer's death, he wrote a letter and a will to Bahiya. In his will, he stated that Bahiya would be free upon his death and a sum of money was to be given to her to start a new life. He also sent another letter to one of the elites in Tripoli Hasswnah al-Qaramanli, asking him to find Bahiya a husband. After the death of her master in the Izmir War, she was emancipated and informed by the master's wife of a letter written by the master to her if she decided to go back to Tripoli. She later took permission from her former master's wife to go to Tripoli. According to Bahiya, she arrived in Tripoli at the time of Ramadan Sowaihili's (one of the leaders of Jihad in the revolutions of the western of Tripoli, who vehemently opposed Italian invasion) demise in 1920.

Haswna al-Qaramanli put Bahiya at *hwsh al-'abid* (slaves' house), until he was approached by a master who wanted a wife for his ex-slave called al-Hajj 'Ali al-Ghadamsi. Al-Hajj 'Ali al-Ghadamsy was by then slave to a master who resided in Ghadames. After his emancipation, he travelled to Tripoli and worked with a Nahum Jewish family. Haswna al-Qaramanli married al-Hajj 'Ali to Bahiya, when she was twenty years old. Bahiya bore him three daughters and three sons ('Aisa, al-Hadi, Farj and Muhammad). Upon the deaths of Bahiya's husband and daughter in the Italian war, she moved to live in a house near the Zarruq grandfathers' house in the old city of Tripoli. She worked as a cleaner in the schools, and sometimes cooked Turkish food for Zarwig's grandfathers. According to Zarwig, she also worked for the British as a wage labourer during the British Mandate of Libya (1945-1951).

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<sup>46</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013.

After 1951 she worked at weddings as *mustadna*<sup>47</sup> She also worked as *mustadna* for Zarruq's grandfather's family at Koushit al-Saffar neighbourhood. Zarruq stated that Bahiya visited and helped his grandfather with the cooking and cleaning without collecting any wage. She sometimes left her son al-Hadi with Zarruq's grandmother when she went to work. In the words of Zarruq: "I was impressed by Bahiya's elegance, she spoke Turkish with his parents, who also spoke Turkish." She died in 2006, at the age of 100 years.<sup>48</sup>

This story gives voice to a female slave, and in doing so provides insight into the process of slavery and progress of emancipated slaves. Although forcibly removed from her home to live in different environments. It is speculated that her master was unable to find her a husband in Turkey, hence the reason he entrusted the task to Haswna al-Qaramanli in Tripoli. Her master's desire to get her married even after his death showed his concern for her. It is assumed that Bahiya's desire to have a family impacted her decision to break ties with her ex-master's family. In addition, this story provides examples about the social and economic life for a female slave who suffered to earn and feed her children. This story also provides information about her work history, most notably that she worked without a wage for Zarruq's family.

Zarruq's second story talks about 'Aisha al-Hidiyria, who was eight years old when captured on her way out of her cottage in Kano in 1900. She travelled on camel with the caravan trade from Kano to Tripoli. On arrival to Tripoli market, she was sold to a merchant family (al-Hidiyri family). She stated that her master's family possessed another five slaves and they all lived in *hwsh al-'abid* (slaves'house). When she became an adult, her master arranged her marriage with Barka ibn Manswir. She gave birth to a girl called Zahra, after which they were divorced. She obtained her emancipation upon the death of her master who also gave her his family name. After her emancipation she worked as a servant for the Italian, and her ex-husband acquired wealth by working in the army with the Italians.<sup>49</sup> It is known that 'Aiysha and Bahiya came to Libya when the slave trade was prohibited in Libya.

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<sup>47</sup> *Mustadna* (plu .*mustadnat*) is a term used for a woman in Tripoli who worked by inviting people to weddings and cooking the meals at weddings. The majority of them were black dark skinned. These workers existed until 1980 upon the inception of invitation cards.

<sup>48</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013.

<sup>49</sup> Interview with Zarruq, by Amal Altaleb, Tripoli, 17/4/2013.



These stories buttress what has been stated in the first chapter, namely that trading in slaves continued until the twentieth century. Similar to the previous story, this story exemplifies the experience of an ex-female slave who broke ties with her former master to start a new life. It is clear that these ex-slaves encountered difficulties in starting their lives and in providing resources for their families. In this second regard, the difficulties they faced are similar to those encountered by many free persons. Indeed, the majority of the Libyan people lived in poverty until the discovery of oil in 1959.

Data extracted from interviews with three people in Fezzan support the assumption that former slaves broke ties with their former masters to start new lives in Tripoli.<sup>50</sup> They indicated that ex-slaves who moved to Tripoli from Fezzan worked in different capacities, including as police officers, guards, soldiers, bakers and servants. One of the interviewers said that his family owned a slave named S'ad. After the end of enslavement in Libya, S'ad's family moved to Tripoli in 1950, where one of his sons worked as a famous singer. In support of this claim, Zarruq stated that the occupations of former slaves in the city of Tripoli were varied. Men often worked as bakers and guards, whereas women worked as *zimzamat* (singers), servants and *mustadnat* at celebrations.<sup>51</sup>

The American explorer Charles Wellington Furlong, who was a fellow of the Royal Geographical Society, visited Tripoli in 1904 while it was part of the Ottoman Empire. During his stay in the city he remained in a hostelry. He related another story during his visit to Tripoli about a Hausa ex-slave called Salam who worked in the hostelry. This story provides insight into the experience of former slaves who were forced to work in Libya with their former owner. Born in Midaroka, Salam was taken to Lasunvadi by his brother in law after the death of his parents. This was the start of Salam's life as a slave. The Sultan of Sokoto demanded three fourth of his tributes from the Hausa states were to be slaves; 10,000 of them came from Adamawa. Salam was amongst the slaves captured and taken to the Fulani. At the age of fourteen he became the property of Durbee who was the Pasha's son. He worked at his master's compound. Durbee sold Salam for two thousand cowries

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<sup>50</sup> Interview with Salah, by Amal Al-Taleb, Tripoli, 16/4/2013; Interview with Salma, by Amal Altaleb, Tripoli, 10/1/2013; Interview with Muftah, by Amal Al-Taleb, Tripoli, 8/1/ 2013.

<sup>51</sup> *Zimzamat* is a term for singers in Libya during the time of study.

(equivalent to twenty-five dollars) to Sala Heba.<sup>52</sup> After working in Kano for five months, Sala Heba left in a caravan that carried multiple commodities. When the caravan reached Ghadames, Salam was sold to Hajj Ahmad, who sent him to the desert to raise camels. Salam attempted to escape twice. The first time was during his master's travel to Tripoli, when he left the slaves without food, Salam managed to flee Ghadames, getting as far as Awjila, where he was captured by a fellow slave who returned him to their master. He escaped a second time, accompanied by another slave named Bako. They travelled for seven days, but could not complete their journey, due to extreme exhaustion. The *mahri* (running camel) returned him to Ghadames, where the Turkish government of Ghadames sent him to his brother in Tripoli. This is when Salam obtained his freedom. During his journey to the castle in Tripoli, he saw his former master. According to Salam, "Sala Heba said to me I live in Tripoli, come and work for me, so I did, though I well knew the old pig had heard of my escape."<sup>53</sup>

This story gives voice to a slave as they negotiated the constraints of slavery and emancipation. As well as Salam being forcibly removed from his home to live in different environments, and put in the possession of a series of owners, it also shows the harsh treatment that he received during his enslavement, which made him flee twice. Salam's social life after winning his freedom from the Turkish government in Libya had not changed much, as he had been forced to stay close to his second former master, whom he described as 'an old pig.' However, he still agreed to work for this former master, perhaps because he lacked other options.

#### **4.1.4 Child Labour**

In 1869 a German traveller named Maltsan stated that each adult female and male slave could gain emancipation documents by going to the British Council in Tripoli and claiming their emancipation, even if their master did not agree to it.<sup>54</sup> While foreign observers focused on adult emancipation, court records reveal the

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<sup>52</sup>Heba is a surname of a famous family in Ghadames (Hayba,) who worked in the caravan trade for centuries. One of the interviews that I have done in Ghadames was descended from this family, so, probably his second master was from Ghadames.

<sup>53</sup> Hunwick and Powell, *The African Diaspora*, pp. 171-178.

<sup>54</sup> The British Council in Tripoli was committed to abolishing the slave trade in Tripoli. Maltsan, *Fi Rihab Tarablus wa Tunis*, p. 314.

significance of child labour in providing economic support for freed slaves. The withdrawal of child labour during emancipation in the Americas contrasts to its necessity in Libya because of the continuing economic vulnerability of the ex-slaves.<sup>55</sup> At that time, several young girls lived in the houses of the elite, performing everyday domestic tasks. After they reached adulthood, their masters would free them and often arrange marriages for them. The majority of former slaves lived in small cottages next to each other.<sup>56</sup> The majority of ex-slaves in Tripoli were originally from the Sokoto Caliphate to the west of Bornu, and spoke the Hausa language. Others were from Bornu near Lake Chad or from other nations.<sup>57</sup> Maltsan stated that in 1869, the majority of emancipated slaves lived in cottages and did not have permanent jobs, hence their livelihoods depended on the availability of daily work on farms. Other activities that paid a daily wage involved selling handicrafts or ensuring the water supply to the centre of Tripoli when tanks ran dry. The average daily wage was three *qrish*, hence the vast majority of ex-slaves were poor. Many wore torn garments discarded by other classes.<sup>58</sup>

The harsh living conditions and the poverty level of ex-slaves were well documented, and show that often they were forced to send their children to work as servants for the elite, gaining low wages. Five pieces of evidence to support this come from lease contracts available at the court records of Tripoli, which include the names of both parties involved in the arrangement, the nature of work, the period of the contract, the wage, and the means by which the employers were making their fortune. However, the lease contracts do not mention the punishment for the servants if they broke the contracts. For example, in 24<sup>th</sup> Rabi‘ al-Awwal, 1329 (25-March-1911), al-Mabrwik ibn ‘Abdullah, who was the ex-slave of al-Hajj al-Firjani al-Mazwghi, stated in front of Suleiman Shwkat Bik that Bakhira Khanim employed his nine-year old daughter called Mabruka (present in the court) as a servant inside her house for six years, for a monthly wage of 15 *qrish*, of which 10 would be spent on

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<sup>55</sup> Laurence Brown and Tara Inness. ‘Slave Women, Family Strategies and the Transition to Freedom in Barbados, 1834-1841’, in *Women in Slavery*, ed by. Gwyn Campbell, Suzanne Miers and Joseph Miller (Columbus: Ohio University Press, 2007), pp. 172-185.

<sup>56</sup> Maltsan, *Fi Rihab Tarabulus wa Tunis*, p. 317.

<sup>57</sup> Nachtigal, *al-Sahra’ wa Bilad al-Sudan*, vol.1, pp. 92-93; Maltsan, *Fi Rihab Tarabulus wa Tunis*, p. 317.

<sup>58</sup> Avald Banza, *Tarabulus fi Matli’ al-Qarn al-‘Ishriyn*, trans. by ‘Imad al-Din Ghanim (Tripoli: Markaz Jihad al-Libiyin, 1998), pp. 82-83.

the girl's food and clothes, while the rest would be given to her at the end of the contract.<sup>59</sup>

Four other cases occurred after the end of the slave trade (one in 1909 and three in 1911). These cases also expose the type of the wage labour in which the families of ex-slaves employed their young daughters, most notably as servants in the houses of elite Turkish families. Their ages were between five and fifteen, which reflected the harsh living conditions and poverty level that forced many parents to employ their young daughters away from them for a long time. Also, how wages were divided could help us to understand the social lives of ex-slave in Tripoli. For instance, in 1911, the wage was 25 *qrish*, two thirds of which would be spent on the girl's food and clothes, according to the lease contract, while the other 10 *qrish* would be given to her after six years at the end of the contract.<sup>60</sup> In another contract in 1911, fifteen *qrish* of twenty five were to be spent on the girl's food, and clothes, while the other 10 *qrish* would be given to her at the end of the contract.<sup>61</sup> The fourth contract, in 1911, stated that a female ex-slave, whose husband was absent for a long time leaving her with no maintenance, employed her five-year old daughter for ten years, and five of fifteen *qrish* would be given to her at the end of the contract.<sup>62</sup> The final contract was from 1909, and stated that the monthly wage of five *qrish* was solely for the cost of living. The father employed his ten-year old daughter as a servant for a five-year contract, and he gave permission to the lessee to take his daughter when she travelled without asking her father. In this last instance, the father did not have the right to ask for the wages from the labour.<sup>63</sup>

Similarly, in the city of Misurata, on 16 October 1906 at the *shari'a* court of Misurata al-Mukram, Muhammad Abusiniyna stated that he put an adult girl (called Haluma *al-zinjiya*, aged 15 years) to work as a servant in the house of the ruler of Misurata (Zad al-Nablsi) for two years, for a total of one French lira for the whole two years. The lease was paid in the meeting of the contract. The lease promised in the contract to provide food and shelter to the servant, but if she left before the ending of the contract, al-Mukram Muhamamad Abusiniyna promised that he would

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<sup>59</sup> MLMDT (T), QA, SMSTG, No. 393, 1329(1911), p. 8.

<sup>60</sup> Ibid, p. 6.

<sup>61</sup> Ibid, p. 69.

<sup>62</sup> Ibid, p.111.

<sup>63</sup> MLMDT (T), QA, SMSTG, No 394, 1327 (1909), p. 15.

return the money to the lease according to the contract.<sup>64</sup> Analysing this wage contract shows that the contract was not signed by the girl's father or a relative. Therefore, the post-emancipation situation was nothing more than a circumstantial temporary enslavement, since the signer of the wage contract was not in fact an ex-slave.

These cases tell stories about the social lives of former slaves in Tripoli. They suggest that ex-slaves lived separately from their ex-masters. However, they also show how freed slaves struggled to pay the expenses for their children. The harsh living conditions and the poverty level of ex-slaves forced them to hire out their children as servants with low wages for long periods. Therefore, the post-emancipation situation saw the mobilisation of child labour as the pressures of poverty often resulted in the "temporary enslavement" of children. Shockingly, we witness a shift in roles, where the guardian becomes a master and the child becomes his slave.

However, a few cases from court records in Tripoli indicate that some ex-slaves, who were under an employment contract with rich families, had a much higher living standard. Zahra, the former slave of the Qaramanli household, owned a small farm in 1847 in an expensive area of Tripoli, and hired a free-born labourer for a monthly wage of two *mahbub*. Thus, some former slaves could have a better financial situation than some of the free-born residents. This occurred mostly when masters were extremely generous with their slaves, gifting them money so that they could have a decent life after emancipation.<sup>65</sup> Also, patterns of inheritance help to clarify the social and economic standing of slaves after gaining their freedom. Will documents available at the records of the court in Tripoli indicate that former slaves owned houses and land. For example, a will written in 1893 by Qubrw, the emancipated slave of al-Hajj Qubtan Pasha, stated that after his death his executors took 20 *lira buntw* from the value of his properties, and gave it to the ex-slave al-Hajj Farj.<sup>66</sup>

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<sup>64</sup> MLMDT (T), QA, SMSTG, No. 1435, 1324 (1906), p. 58.

<sup>65</sup> MLMDT (T), QA, SMSTG, No.21, 1263-1265(1846-1848), p. 115.

<sup>66</sup> MLMDT (T), QA, SMSTG, No. 930, p.99. For more examples, see: No. 394, p. 74; No. 801, 1306-1307 (1896-1898), p. 51; No. 1021, pp. 90, 98.

## **4.2 Social Life in Post-Emancipation Libya**

This section aims to provide an overview of clientship (*al-wala'*), marriage and divorce patterns within former slave communities by exploring the nature of marital problems, the causes and the impact of divorce upon female slaves, and their lives as divorcees. Five volumes containing records from the Islamic Court in Tripoli and one volume from the Islamic Court in Ghadames were analysed in order to extract the primary information used in this section.<sup>67</sup>

### **4.2.1 Al-Wala': Clientship**

As I explained in chapter two Libyans followed the multi presided Maliki and Hanafi doctrine of justice until 1847. However, after 1847, al-Asitana declared that all judges who presided over cases would be of the Maliki doctrine and that Hanafis would no longer be required since the majority of Libyans followed the former doctrine.<sup>68</sup>

The cases addressed by Malik ibn Anas concern include social statuses such as *al-wala'* and disputes about the slave ownership. He ruled that a slave could only buy him or herself out of their contract with their master on the condition that *al-wala'* is given to the master, because the prophet Muhammad forbade giving away or the sale of *al-wala'*. *Al-wala'* allowed the slave and master to maintain fictive kinship tie after emancipation; thus ex-slaves gained their ex-master's family names (*nisba*). It is recorded that the prophet Muhammad stated that *al-wala'* is like a link of kinship. It cannot be sold or given away. Thus Maliki describes *al-wala'* from the perspective of a slave within his master's family, and such a slave is to remain in the relationship created during the term of slavery.<sup>69</sup>

According to information contained in the records of the *mahkama shari'iya* (Islamic court) in the state of Libya, piety emancipation was the most common form of manumission in the two cities of Tripoli and Ghadames. The masters stated in the formula of the typical manumission declaration that the freed slave is to be grouped with the free Muslims and entitled to their privileges and responsibilities. The

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<sup>67</sup> MLMDT (T), QA, SMSTG, No. 930; No.1146; No. 394; No.393; No.397,1331-1333 (1913-1915); MG, SMGS, 1316-1324 (1898-1906).

<sup>68</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'iya*, pp. 89-90.

<sup>69</sup> El-Hamel, *Black Morocco*, p. 49.

emancipation documents stated also the relationship that the emancipated slave should have with his/her master after the process of emancipation. This relationship was usually described in terms of loyalty and allegiance to the slave's master. This was encouraged by Islamic law, and it led to the emancipated slaves being loyal to their masters. In return the freed slaves were treated very well by their former masters, and vice-versa. This relationship had advantages and disadvantages. The freedman remained in clientship to his former master, who could inherit from him if he died without childless (heirs), such as in the complaint by ex-master Ramadan ibn Salah al-Qwsbi against the agent of Bait al-Mal (treasury), who took over the properties (house and furniture) of his ex-slave called Bilkhir ibn 'Abdullah al-Jinawi. Al-Qwsbi asked Bait al-Mal to return the properties, because the ex-slave had died without any heirs.<sup>70</sup>

Clientship also provided a social context for the freedman, providing him with an ersatz family, a family name and even, at times, a fictive lineage. A significant number of cases related to divorce, the purchases of slaves, function of slaves and the proprieties of ex- slaves. Three hundred related to cases of ex-slaves in which slaves were called with the surname of their masters by reason of emancipation.<sup>71</sup> However, granting an ex-slave his master's surname was also controversial in Ghadames and Fezzan. Masters here often refused to allow slaves to use their *nisba* (family names). Yet many of the former slaves still made their ex-masters' surnames their own names. Ahmad an interviewee in Ghadames, stated that he refused to allow his grandfather to give his ex-slave their surname, as he believed that according to the Islamic law, former slaves should be remain loyal to their former master without claiming their *nisba* (family names), and that the Libyan government made a mistake when they registered some of them with their surnames without making sure about their origin or whether the ex-master's families were happy with that arrangement. He listed five former slaves' families in Ghadames who had taken their ex-master's family names, and said that they should take the nearest names of his grandfather, and take it as their surnames, because his concern was about the lineage of these families becoming mixed with different races, and thus the inheritance of families in Ghadames to be shared with another race.

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<sup>70</sup> MLMDT (T), QA, SMSTG, No.1388, p. 214.

<sup>71</sup> Similar view stated in Hilal book. Hilal, *al-Raqiq fi Misr*, p. 202.

These case studies gives a clear idea about the concern of lineage and racism. Families often did not desire to be mixed with different classes in Ghadames, as this would reduce the social status of the free men (*ahrar*) class, who saw themselves as superior to other classes in the city. Until recently, the free men were proud of their heritage deriving from the original male landed proprietors of the country, compared to other classes who they considered inferior. Also, these free men remain proud of the cultural heritage of Ghadames and its caravan trade. The majority of the highest class in Ghadames worked in trade, and those who had taken their surnames were just one of these traded commodities. Furthermore, slaves were often their domestic servants and agents in the caravan trade.

Another example comes from the Judge of Ghadames, Khalid, who worked in the court of Ghadames between 1950 and 1980. He stated that in 1953 one of the residents came to the court claiming that he possessed the purchase document of a slave who was the property of his grandfather, and that he did not want to allow the former slave to adopt his grandfather's family name. The judge refused to look into the case, since slavery was long abolished, but suggested he organise a lunch and invite old members of the Ghadamisi community to witness the emancipation. After the lunch, he declared that he had emancipated his slave for sake of Allah. Furthermore, he gifted the newly emancipated slave with an amount of money to start his new life, but the former slave still used his ex-master's surname. The former master became angry and asked him to stop using his family's name, since he did not belong to their lineage.<sup>72</sup> This case shows that slavery persisted in Ghadames even after its official abolition in 1856, until Libya became an independent country in 1951, which reflects that the abolition of the slave trade may have impacted on the demographics of slave population, but not on the emancipation of slaves. These cases recover the voices of ex-slaves who were violated inhumanely by enslavement, first by being raided, purchased or captured when they were young and did not know anything about their origin and families, and secondly, to be forced to live in a community that looked down on them. Thus, in insisting on taking their ex-master's name, the ex-slaves challenged the fundamental inferiority of their status; this act made may not have meant equality for ex-slaves in the society of Ghadames, but

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<sup>72</sup> Interview with Khalid, by Amal Al-Taleb, Ghadames, 17, 18/7 /2012.



having a fictive lineage by taking their ex-masters surnames might still improve their social status.

However, one cannot make any generalisations in this area, since evidence shows that many families in Fezzan (al-Hisnawi), Tripoli (Naswif, Abudiya, al-Shakshwki, and al-Qalhwid) and Bani Walid (Qjman) allowed their former slaves to use the family names as their surnames. For instance, the Qjman family in Bani Walid purchased a slave called Salam al-‘Abd at the end of the nineteenth century, who remained a slave until the Italians invaded Libya in 1911. His master sent him to participate in the war against the Italians, and upon his return he was freed due to his courage in the war. Moreover, his master testified in front of the court that his former slave was just like one of his sons, so he granted him the right to use his surname and inherit from him. At present, the former slave’s family live in the al-Hadba al-Khadra’ area of Tripoli and the young generation still have a close and loyal relationship with the family.<sup>73</sup> This is a good example of a tight relationship between two families belonging to different classes. The historian Stephen Baier discusses another example of masters permitting, or insisting, that freed slaves took the family name: Badri Zammit was an ex-slave from Zinder who became a wealthy and prominent member of the North African migrant community. Badri was enslaved to a prominent Ghadamasi merchant known as Mustapha Zammit. He was granted his freedom from his master with the condition that he and his descendants affix his master’s name.<sup>74</sup>

#### **4.2.2 Marriage**

Marriage between former slaves was common in Libya. Hiziyysh Von Maltsan, who visited Tripoli in 1869, sometime after the restriction of the slave trade, stated that each adult male slave was usually married to female ex-slaves. However, he also stated that ex-female slaves also married rich free men, such as Turkish individuals who avoided marrying free Libyan women (who were often excluded from marrying free Libyan men). These elevated ex-female slaves had a high living standard, wearing gold jewellery in order to display their new status. However, the number of emancipated female slaves married to Turkish individuals decreased. Former masters

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<sup>73</sup> Interview with Qjman, by Amal Al-Taleb, Tripoli, 12/June/2012

<sup>74</sup> Baier, *An Economic History of Central Niger*, p. 63.

claimed that these changes were due to physical beauty becoming a popular criterion when selecting a bride.<sup>75</sup> The mood slowly began to change as female slaves were increasingly not regarded as attractive anymore. Slaves were initially seen as acceptable marriage partners for Turkish partners, who were excluded from marrying the more attractive free Libyan woman. As soon as so they had an opportunity to marry those who were more attractive than the slaves, they did.

The eighty-four cases analysed in this chapter contain child maintenance alimony evaluation and divorce cases. The name of those involved are mentioned, often confirming a pattern of marriage between ex-slaves in the former slave community. The only exception is the divorce case on the 8<sup>th</sup> Muharram 1309 (13 August 1891), when Salim Karim ibn Qadair from the al-Shara' al-Gharbi area divorced his wife Khadija, daughter of al-Ghiryani, ex-slave of al-Hajja Amina al-Qamati, and committed to pay her one ounce of silver as a bridal cost and 10 *qirish* each month as child maintenance for his baby daughter.<sup>76</sup> Also, the emancipation documents analysed in the Third chapter reveal one example in which a master was married to a female ex-slave. Similarly, one case recorded by the Islamic Court of Ghadames indicates that the master even left an inheritance for his emancipated slave wife.<sup>77</sup> All Islamic schools of thought prohibited women from marrying men of lower social status in order to avoid family humiliation.<sup>78</sup> Thus, a woman's father or legal guardian may invoke the principle of *kafa'a* (principle of equal birth and social status in marriage) to prevent such a marriage. In contrast, a free man is allowed to marry an ex-slave from a lower social status without such marriage leading to any immediate social injury.<sup>79</sup> In the word of Yusha':

Ghadames documents did not indicate that marriages occurred between masters and concubines in Ghadames. Therefore we do not know about marriage ceremonies, or how much was given to concubines as bride price. However, interviews conducted showed that this type of marriage did happen in Ghadames. This is evident by inheritance bequeathed to concubines at the demise of their master's death.<sup>80</sup>

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<sup>75</sup> Maltsan, *Fi rihab Tarablus wa Tunis*, p. 319.

<sup>76</sup> MLMDT(T), QA, SMSTG, No. 930.p. 39

<sup>77</sup> See: appendix number one.

<sup>78</sup> Lewis, *Race and Slavery in the Middle East*, p. 85.

<sup>79</sup> Ibid, p. 85.

<sup>80</sup> Yusha', 'al-Raqiq fi Ghadames', p. 33.

Indeed, in one case found in the court records of Ghadames, al-Rab'a, the emancipated female slave of al-Hajj Muhammad ibn al-Hajj Ahmad Musa, and the mother of his three year old son (Bashir) were his only heirs.<sup>81</sup> This information, gathered from the 1900 inventory of the master's estate, shows that the al-Rab'a (*umm al-walad*) could indeed inherit from her master.

An interview with Khalid revealed that marriage between the master and the slave concubine was regarded as optional. Since the concubine was the master's property, the master did not need to marry her. However, if marriage did occur, the concubine would first have to be freed.<sup>82</sup> Marriages between masters and concubines were very rare. Evidence from the court registers in Ghadames reveals that these marriages were very rare; only four documents indicate that masters had children from their concubines.<sup>83</sup> In these instances, the concubines were not granted the status of *umm al-walad*, and were still being regarded as inferior and their children were being called as "children from *ama* or *jariya* (concubine)." In a letter written from a son of a concubine to his father who lived in Kano with his mother, the writer blamed him that "you did not tell me anything about my mother's health how she is? She is my mother even she is still *ama*."<sup>84</sup> This document reflects the master's racist opinion that his concubine was inferior in status to a free-born women, which presumably prevented him from telling his son about his mother.

The social structure in Ghadames provides insight into the reason marriage between a master and slave was uncommon. As stated by Charles Dickson (1859 British Vice-Consul), there were four classes in Ghadames: the *ahrar* (freemen), the *humran*, the '*attara*, and the slaves. The *ahrar* claim to be the original descendant of the male proprietor of the country. They are taken to be of pure blood. *Humran* class also claim pure blood and are descendants of the Arab settlers in the country; however, they married slaves and consequently have coloured skin. The '*attara* class are descendants of emancipated slaves. These classes are in the proportion of

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<sup>81</sup> MG, (SMGS) 1316-1324(1898-1906) p. 251.

<sup>82</sup> Interview with Khalid, by Amal Altaleb, Ghadames, 17, 18/7 /2012.

<sup>83</sup> MG, (SMGS), 1316-1324(1898-1906) pp. 142, 147, 157, 161-162. For a more detailed discussion see, chapter three Patterns of Manumission, in particular the section on Manumission of Concubines.

<sup>84</sup> MLMDT (T), SWM, QWA, *Milfat al-Tijara* [Files of Trade], file No.42, doc. no.87.

12 *ahrar*, 5 *'attara*, 2 slaves and 1 *humran* out of 20. The female-male proportion was 3:1.<sup>85</sup>

Moreover, in Ghadamisi society, the *ahrar* class (origin class) believed that marriage from another class, including *'attara*, slaves, and *humran*, was shameful, since they claimed their descent from the original male proprietors of the city. Until recently, the people of Ghadames looked down on ex-slaves, regarding them as inferior to the sons of freeborn citizens. For example, this stigma affects contemporary marriages in Ghadames, a marriage between the sons of the first *ahrar* class and other classes (*humran*, *'attara*) is not allowed. During my visit in 2012, I noticed that the Ghadamisi community still suffers from this racial problem, which stems from their cultural heritage. It was taboo for anyone to marry outside of his lineage or social class. Interviews with girls from the highest class reveal that the same belief is carried from generation to generation: they stated that their rank is better than that of other classes, and they would refuse to marry men who have slavery origins.<sup>86</sup> Even in 2003 in Ghadames, a young man who is a leading official in the city, and who belonged to the second class (*humran*,) loved a girl from the first class (*ahrar*). Although their relationship continued for a long time, all of his family and people from his class opposed this marriage. He was forced to abandon the idea of a marriage due to pressure he was subjected to.<sup>87</sup>

This story exemplifies the experience of *humran* and *'attara* classes, who did not integrate in society. The issue in Ghadames is not about the *'attara* class themselves, but that it was considered dangerous for the *ahrar* class to marry outside their clan, as this will threaten the existence or reduce the population of the clan. The cultural custom is that an offspring takes on the identity of the father alone. Therefore, due to these cultural objections, a female is obliged to marry within her own clan, so that the children will take the father's identity, which is essentially also the mother's. However, in the case of a mixed marriage, where a female marries outside the clan, this will mean that the loss of a child's identity.

This racial view has also influenced some free-born citizens of Ghadames who moved from the city to Tripoli, such as Zarwiq family who lived in the capital. One

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<sup>85</sup> Dickson, 'Account of Ghadames', p.257.

<sup>86</sup> Interview with Khadija, by Amal Altaleb, Ghadames 11/7/2012.

<sup>87</sup> Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*, p. 540.

girl from this family was not able to marry unless the suitor was originally from a non-slave caste, but another family called x were able to marry their daughter to one of the men from a slave class, despite the opposition from his kin in Ghadames.<sup>88</sup> Therefore, in some cases the stigma of the ex-slave classes remains in the Ghadamisi society, and dictates the unwritten laws of chivalry. Similarly, in Tripoli the same prejudice against mixed class marriages existed, and free women were banned from marrying ex-slaves. Issues mentioned in the files of justice on the court records show how ex-slaves did not enjoy the same rights as free born citizens. For example, in 1283(1867) a Sudanese woman called Haluma who bought her freedom and started working in 1849, raised an orphan girl called Salyma with her husband, who found the girl in the Bab al-Bahir area in Tripoli. An ex-slave asked to marry the girl, but the people of Tripoli rejected the idea. The case was brought to the Islamic courts. Given that the ex-slave was the only suitor, and since the Islamic law states that marriage between a free-born and an ex-slave is allowed, the Ottoman ruler of Tripoli transferred this case to the judge of Tripoli, who ultimately gave his consent for the marriage.<sup>89</sup> This incident constitutes solid proof that customs and tradition dictate society's reactions and behaviour towards different events, and not necessary religious laws.

The racial view of slaves were subjects in 90% of court records, ninety percent of the court records in Tripoli use explicitly racial terms to refer to slaves. Freed slaves were described as *zinjiya*, *shwshan*, *shwshana* and black dark skin, what we see at play here are process of changes over time which plied out differently in deferent cities, nonetheless is the end result that by 1950 the population of former slaves were understood as being racially black.

#### **4.2.3 Divorce**

This section is based on a detailed analysis of forty-five cases drawn from five volumes of the court records in Tripoli between 1890 and 1915.<sup>90</sup> Among freed people, the legal system of marriage was generally negotiated in the nineteenth century by a bridal payment - a husband would pay his prospective wife a sum of

<sup>88</sup> Interview with Khadija, by Amal Altaleb, Ghadames, 11/7/2012.

<sup>89</sup> MLMdT (T), QA, *Milfat al-Shuw'in al-Dakhiliya* [Files of Internal Affairs], No.3, doc. no.93.

<sup>90</sup> See appendix number three.

money registered at the court as a bride price. Court records in Tripoli provided many examples of marriage contracts. In these cases, the bride payment varied from one family to another, due to the social and economic conditions of the families involved in the marriage. It also stated that the bride payments for former slaves were less than for freed -born people. Many of these cases show that husbands did not pay their wives bride prices until they divorced.<sup>91</sup>

However, it is noted via court records that divorce between free-born spouses was widespread in Tripoli during the time of study. Marwan stated that between 1846 and 1847, the number of divorce cases registered in the court record was higher than marriage contracts: 115 marriage contracts against 152 cases of divorces. The high percentage of divorce was due to both social and economic reasons.

In terms of social reasons, the birth of a male child was important to the husband in order to maintain family name. Hence the lack of male (issue) from a wife was enough reason for divorce. Also, women sued for divorce when treated harshly by their husbands. There were also many cases of divorce because a wife left her matrimonial home without her husband's permission, or because of an alcoholic husband or a spouse that travelled away.

Divorce was also rampant in relation to its economic benefits. For example, a wife was entitled to a divorce if her husband travelled for a long period and left her without alimony. However, the husband could request that his wife waived her bridal price, arrears and alimony in return for the divorce. Hence the wife had to buy her freedom from her husband for a large amount of money to which they both mutually agreed.<sup>92</sup> Cases of divorce between former slaves reveal divorce as a sort of financial transaction. Masters did not intend to marry their concubines, and when concubines became free slaves, their bride payment got paid as soon as possible so they could be married off. Cases of divorce in the court of records in Tripoli indicate that there were two types of divorce. The first type of divorce document was called *talaq bi al-thalatha* (repudiation). It occurred when the husband went to court to

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<sup>91</sup> For more details see: Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, pp. 132-138.

<sup>92</sup> Marwan, *Sijillat Mahkama Tarabulus al-Shari'ya 1760-1854*, pp. 156-158. On the different types of divorce see: Layish, *Divorce in the Libyan Family*, pp. 27-40. For other study on divorce in Ndar (Senegal), based on the court records, see: 'Ghislaine Lydon, 'Obtaining Freedom at the Muslim Tribunal: Colonial Kadjustiz and Women's Divorce Litigation in Ndar (Senegal)', in *Muslim Family Law in Sub-Saharan Africa: Colonial Legacies and Post-Colonial Challenges*, ed. by Shamil Jeppie, Ebrahim Moosa and Richard Roberts (Amsterdam: Amsterdam University Press, 2010), pp. 135-164.

divorce his wife. The thirteen cases of *talaq* (divorce) that I have analysed show the recognition of this divorce and the right of the wife to claim alimony and arrears of the bride price.<sup>93</sup> The description of repudiation is also usually brief; the case notes initially state the name of the husband, followed by the name of the ex-master, then the act of *talaq*, followed by the wife's name, then the rights for alimony and arrears of price bride, and finally the date of *talaq*.

In 9<sup>th</sup> Rabi' al-Awwal 1332 (5-Feb-1914), al-Bashir bin al-Hajj Musa, ex-slave of Muhammad abu 'Iysa, attended the court in order to divorce his wife (who was present in the court), Mannuba bint Muhammad (resident of the Bab al-Bahir neighbourhood). He also recognised the right for alimony, and arrears of the bridal price, which was decided in one ounce of pure silver, as well as monthly-maintenance of fifty *qrish* for his three-month old daughter Hawwah.<sup>94</sup> The reason behind the *talaq* is absent in eleven of the cases, but in the remaining two, the impossibility of cohabitation was mentioned. In one case from 25<sup>th</sup> Safar 1332 (22 January 1914), al-Hajj Ali ibn al-Hajj 'Iysa, ex -slave of al-Hajj Qasim ibn al-faqih al-Ghadamsi, mentioned in the court (in the presence of Fatima bint 'Umar ibn Salim 'Urf Natko, ex-slave of al-Hajj al-Kilani ibn 'Uthman al-Ghadamsi) that the reason given for *talaq* was the impossibility of cohabitation. Indeed, the husband had vowed that he would divorce her if she even went out of the house. Yet she left the house with her baby daughter called Zahra, and consequently the *talaq* occurred.<sup>95</sup> However, two *talaq* cases show that different types of divorce disputes occurred between husbands and their wives. In some instances, the wife had to concede her arrear bride price, which equated in one case to 150 *riyal sabiliya* alimony of her 'idda; the reason given for *talaq* was also the difficulty of harmonious cohabitation.<sup>96</sup>

The second type of divorce documents was called *kula'* (renunciation). This form of divorce was the most significant for this study as it occurred more frequently between ex-slaves. Twenty-six cases involved wives and husbands arriving to the court to bear witness that wives were requesting *kula'* from their husbands in return

<sup>93</sup> MLMDT (T), QA , SMSTG, No.930, pp. 25,38, 39, 88, 110; No.1146, p. 9; No.393, pp. 92; No.397, p. 29, 71, 72, 85, 94, 244, 280.

<sup>94</sup> MLMDT (T), QA , SMSTG, No.397, p. 85

<sup>95</sup> Ibid, p. 72, for a similar example, see: Ibid, p. 71.

<sup>96</sup> MLMDT (T), QA , SMSTG, No. 930, p. 25. See similar example. Ibid, p. 53.

for waiving their bride price arrears. In all of these cases, the husband agreed to the divorce. The description of this form of divorce is usually brief; it initially states the name of the wife, followed by the name of her ex-master, then the act of *kula'* followed by her husband's name, the agreement of the husband to the divorce, and finally the date of the divorce. For example, *al-zinjiya* Khadija, the ex-slave of Muhammad ibn Khalifa Abu'aisha, attended the court and asked her husband Khair (present in the court) the ex-slave of Muhammad ibn Khalifa Abu'aisha, to divorce her husband, offering to waive his arrears of her bride price – as well as waiving the child maintenance of her son and for the baby with which she was pregnant at the time. The husband agreed to divorce her, and the document was dated in 9<sup>th</sup> Rabi' al-Awwal 1332 (5-Feb-1914).<sup>97</sup> None of the twenty-six cases provide a reason for divorce, but since the wives gave up their bride price rights, they must have encountered difficulties which could not be resolved in any other way.

Similarly, there are four cases, in which women requested divorce due to the absence of their husbands, who had left them with no alimony.<sup>98</sup> These cases seem to concern *faskh* (annulment) not *talaq*,<sup>99</sup> yet are listed in the records as *talaq*. These cases are also recorded in the form of a summary, stating the complaint, the testimony of the witnesses, and lastly the verdict. For example, on 20<sup>th</sup> Sha'ban 1332 (14 July 1914) the wife 'Iysha *al-zinjiya*, ex-slave of al-Hajj 'Amar Rihuma al-Zintani, attended the court and stated that she was the wife of *al-zinji* Mahammad, ex-slave of al-Hajj 'Amar Rihuma al-Zintani, for eleven years (the couple were emancipated by the same master). She claimed that, for seven years, her husband left her along with her eight-year old daughter Fatima without maintenance, and that she had no idea of his whereabouts. She requested divorce in order to marry another man. She supported her claim by testimonies from two witnesses (one was an ex-slave, and the other was a free man); as a result, both the marriage and absence of the husband were proven, after which the judge decided the *talaq*.<sup>100</sup> Similarly, in another case, in 29-Rabi' al-Awwal 1333(23-July-1914) the wife requested divorce due to her husband's four-year absence in Tunisia. He also left her with no funds,

<sup>97</sup> MLMDT (T), QA, SMSTG, No. 397, p. 91.

<sup>98</sup> Ibid, pp148, 159, 253, 290.

<sup>99</sup> For other views on *faskh* divorce, see: Lydon, 'Obtaining Freedom' p.148

<sup>100</sup> MLMDT(T), QA , SMSTG, No. 397, p. 159



failing to inform her of his whereabouts.<sup>101</sup> Due to extreme hardship, the woman needed and planned to remarry before the end of her *'idda*.<sup>102</sup> By the principles of Islamic law, a divorced woman must wait for a three month *'idda* period before she can remarry, in order to avoid complications such as being pregnant by the ex-husband and wrongly attributing the child to the new husband. It is clear that the reason for this divorce was of an economic nature. This case indicates that often the only option for a divorcee was to remarry as soon as possible in order to avoid financial hardship. However, the 26 cases discussed above do not mention at all whether the divorcees remarried or not. It is worth noting that many women planned to remarry before the end of their *'idda*, which also created conflicts within the community. For example, in a case from 18<sup>th</sup> Jumada al-Awwal 1332 (14-April-1914), an ex-husband called Ibrahim al-'Allaqi claimed against his ex-wife, Salima bint Sasyiah ibn Salah al-Shawishy al-Ghiryani, who was planning to remarry before the end of her *'idda*, after getting *khul*.<sup>103</sup>

The divorce cases analysed in this section not only offer information about the process of divorce in Libya, but also outline the rights and duties imposed on couples and ex-slave families' relationships, even though they often fail to fully detail the reason for divorce, be it social or economic. The court records suggest that divorce was more important for women than men; they underline the fact that women did engage in court disputes, whether they wanted to claim alimony, child maintenance or get divorced. This proves that marriage patterns among ex-slaves were similar to those among free-born citizens, which were confronted with an even greater number of divorce cases. Finally, the justice system appears to have dealt with both ex-slaves and free-born citizens in a similar fashion, reflecting the fact that former slaves had their lawful rights respected.

## **Conclusion**

This chapter surveyed the social and economic history of emancipation from the point of view of the enslaved in Libya. It discussed how emancipation changed the

<sup>101</sup> MLMDT(T), QA , SMSTG, No. 397, p. 253.

<sup>102</sup> *Idda* is a legal waiting period, a woman must observe three menstrual cycles to determine her parity status after the death of her spouse, or after a divorce, before she can marry again. <http://en.wikipedia.org/wiki/Iddah> (accessed 6-2-2014).

<sup>103</sup> MLMDT (T) (QA), (SMSTG) No. 397, p. 111.

economic and social lives of former slaves. It revealed how former slaves tried to push the boundaries of freedom further, through going to court to claim their rights of marriage and divorce. These attempts were often resisted and at times prohibited. Certain positions and obligations show the changes in status for former slaves, whereas through marriage these boundaries only changed gradually.

Looking at individual cases has showed that there were some changes in the process of emancipation, but that there was also continuity in enslavement. Some of the stories covered in this chapter tell us that former slaves had diverse experiences. Some were able to have successful lives and have power in their lives. Others were not, and lived in harsh conditions, working for low wages for their former masters or with other elites as domestic servants or farm labourers.

This chapter has focused on the complexity of ex-slaves' experiences, especially in terms of their economic and social relationships. In terms of economic relationships, some manumitted slaves maintained ties to their former masters, playing a key role not just for their ex-masters, but also for the master's families. In turn, these families often depended on the freed slaves, as caravan workers and agents. In many cases, ex-slaves still depended on their former masters, but in both the marriage and divorce records, we can see ways in which former slaves tried to negotiate this complex situation.

## Conclusion

This thesis was written in the midst of the Libyan Revolution. While the Revolution caused practical problems for accessing the Libyan Archive and conducting interviews, it also underlined the continuing significance of slavery in Libyan society. The politics of race were at the centre of the Qaddafi regime and also played a part in the uprising against him.<sup>1</sup> The Revolution caused fault lines to appear within the Libyan society along social lines that had been shaped by slavery and the experience of emancipation.

Qaddafi's regime during the revolution gained significant support from some cities where there were black Libyans who had descended from the enslaved population brought to Libya. This was strongly influenced by policies that favoured the descendants of slaves in acquiring greater social and civil rights. During the Revolution, Qaddafi tried to gain support from black people in many Libyan cities, and there were popular fears among black Libyans that if the rebels won, their position in society would deteriorate.<sup>2</sup>

Moreover, slave descendants are still stigmatised in Libya. This research provides evidences, based on travel accounts and British vice-consul in Ghadames, which is reverberated in contemporary interviews. For instance, this stigma affects contemporary marriages in Ghadames.<sup>3</sup> Nobody dares to marry from outside his or her class because of lineage differences and social position. However, if we look at contemporary Tripoli, this situation has broken down. Interclass marriages are more prevalent; this is mostly due to the fact that population growth has made it harder to identify the class position and historical experiences of different families. Despite this, many people in Tripoli still object to marriages between fair-skinned and dark-skinned Libyans.<sup>4</sup>

This research has examined the court records of Ghadames and Tripoli, which provided a vision of social life, relationships, employments, and the process of emancipation; also, it treated slave as a social group that affected the slave trade and

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<sup>1</sup> Ann Elizabeth Mayer, 'Building the New Libya: Lessons to Learn and to Unlearn', *Journal of International Economic Law*, 34 (2013), pp. 372-373.

<sup>2</sup> Interview with Salma, by Amal Altaleb, Tripoli, 10/1/2013.

<sup>3</sup> Maltsan, *Fi rihab Tarablus wa Tunis*, p. 319; Dickson, 'Account of Ghadames', p. 257.

<sup>4</sup> Interview with Khadija, by Amal Altaleb, Ghadames 11/7/2012; Interview with Khalid, by Amal Altaleb, Ghadames, 17,18/7/2012; Interview with Khulad al-Ghalali, by Amal Altaleb, Tripoli, 13/4/2013.

people's ways of life, rather than as just a traded commodity. It has also looked at Ghadames documents to reconstruct trading in slaves, the relationships between slaves and masters, the social life of former slaves, pathways to manumission and abolition. It explored in detail the everyday lives of slaves and ex-slaves in Libya. This research also looked at oral histories that raised issues of how these stories of slavery passed through families, and how these relationships were viewed by others today.

What comes out from these sources is that how across a period of time (1800-1950) there were very few major changes in terms of the abolition of slavery; the abolition of the slave trade may have impacted on the demographics of the slave population, but not on the emancipation of slaves. Furthermore, it did not have a significant impact on the social life of former slaves, the experiences after manumission were more marked by continuity than change in the period between 1800 and 1950 and the legacy of slavery persisted over time. In a sense, the relationships of clientship between slaves and masters discussed in this thesis persisted for a long time after the abolition of slavery.

This research has focused on the local meaning of slavery within Libya, using Ghadames and Tripoli as a window on the variety of experiences of the enslaved. The result is a very different vision of slavery than those histories based on Western sources such as the economic history of John Wright that focuses narrowly on the slave trade itself without placing it in the context of social history, and which treats slavery as static, as having a single meaning over time and space, and views slaves as commodities. The bulk of this research has explored the social lives of slaves, how these varied by occupation, by place and time.

Comparing the scholarship on slavery in Libya, Sub-Saharan Africa and the Mediterranean reveals a range of approaches as Libyan scholars have focused on the caravan trade, whereas in Sub-Saharan Africa there is considerable research on the ending of slavery, and in the Eastern Mediterranean there is more interest in master-slave relations and the social life of freed slaves.<sup>5</sup> Bringing together local history with the global history of slavery emphasizes the differences between Libya and

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<sup>5</sup> Wright, *The Trans-Saharan Slave Trade*; Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iyah wa al-Thaqafiya*; Walz, 'Redeemed Lives in the Trans-Saharan Migrations of the Nineteenth Century'; Ennaji, *Serving the Master*; Lydon, *Islamic Legal Culture and Slave-Ownership Contests*; Zilfi, *Women and Slavery in the Late Ottoman Empire*; Cooper, *From Slaves to Squatters*; Lovejoy and Hogendorn, *Slow Death for Slavery*.

neighbouring societies in terms of slavery, emancipation and life after the abolition of slavery.

This thesis joins other studies focused on local meanings of slavery in North Africa that draw significantly on local sources, such as Terence Walz's study which narrates the story of four freed slaves that resided in Egypt from Bilad al-Sudan. Walz details how African slaves coped with the radical changes of enslavement and forced migration, and how they managed to readjust in ways that were unthinkable in their native lands before they were enslaved.<sup>6</sup> 'Imad Hilal also adopted a similar view; his study focused on the process of slavery, from slave's journeys to live in Egypt until their emancipation and death.<sup>7</sup> Similar views about the experiences of slaves and ex-slaves in Libya and Egypt are related in court records, Ghadames documents and the memoirs of Hassan al-Faqih Hassan. These include patterns of emancipation and difficulties experienced by slaves who tried to earn their freedom. Such emancipation of slaves was common in Egypt before the prohibition of the slave trade.<sup>8</sup> Egypt and Libya revealed how these processes took place in the Islamic world, but crucially this was not in reaction to Western pressure.

On the other hand, scholars such as Ennaji, Zilfi and Lydon have challenged a benign view of a generalised Islamic slavery, and stated that these arguments actually need deeper analysis of local differences in the social life of slaves and relationships between masters and slaves across North Africa and the Mediterranean.<sup>9</sup> Libyan sources analysed in this research provided similar data concerning the social life and relationships of both slaves and ex-slaves to that which has been used in Moroccan history. Analyses of the experiences, identities and achievements of black slaves who resided in Morocco between the sixteenth and the beginning of the twentieth century was presented by Shouki El Hamel. His study carefully considers the influence of non-religious factors on the ideology and religious discourse on slavery in Morocco. The author insisted that his sources suggested that Moroccan society had exploited black slaves on the basis of an ideology of the racial division of society since the late seventeenth century.<sup>10</sup>

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<sup>6</sup> Walz, 'Redeemed Lives in the Trans-Saharan', p.79. Walz, 'Sudanese, Habasha, Takarna, and Barabira', p. 44.

<sup>7</sup> Hilal, *al-Raqiq fi Misr*, pp. 1-3.

<sup>8</sup> Ibid, pp. 200-210.

<sup>9</sup> Ennaji, *Serving the Master*; Ze'evi, 'Women and slavery', pp.905-906; Lydon, 'Islamic Legal Culture and Slave-Ownership Contests in Nineteenth-Century Sahara Black Morocco', pp. 391-439.

<sup>10</sup> El Hamel, *Black Morocco*, pp. xiii, 9-10.

These scholars developed a deeper understanding about slavery in North Africa, and provided data about legal practice, the social life of slaves, and the relationship between slaves and masters, and manumission. Rather than focusing narrowly on the trade, or taking colonial sources at face value, this thesis has developed a social history of slave emancipation, by examining the changing implications of slave status, especially as it was disputed in the courts, or as it remains contested in oral history.

This thesis follows their approach by engaging with Islamic law, providing evidence of how Islamic law regulated enslavement, relationship between slaves and masters, and manumission. This research has taken an approach that brings this work into a dialogue with other scholars of the Islamic world of North Africa and the Middle East, and also with historians of sub-Saharan Africa (both Islamic and non-Islamic) as Libya had historically been a crossroads for those two worlds.

The first chapter argued that scholars who reconstructed trans-Saharan trade history from European sources in the nineteenth century, overestimated the significance of slavery within the frames of caravan trade, in comparison to other commodities, such as ivory and ostrich feathers. Although there is no definitive account of the quantity of traded slaves, the information gathered provides a way of understanding the slave trade as it existed in Libya. By looking at the content of correspondence contained in Ghadames documents between the merchants, this thesis reveals how merchants considered slaves one commodity among others. Slave trade was observed to have continued long after its prohibition in 1856 and no significant change existed in the caravan trade after slave abolition; caravan trade continued with alternative marketable and profitable commodities till the early twentieth century in 1911.

The second chapter explored the social life of slaves, economic role of slaves, and their social relationships. Slaves were essential to the wealthier of Libya, especially to the rulers of Ghadames and elites of Tripoli, wealthy families and middle class families. These groups maintained and protected their slaves. Two main categories of slaves identified in Tripoli and Ghadames were caravan traders and domestic servants. Several perspectives were presented by the researcher about treatment and social relationship between slaves and masters. While some slave-master relationship involved good treatment and patronage, others involved ill

treatment and violence. These relationships were also seen to vary depending on the occupation of the slaves. According to oral interviews, it was found that slaves in Tripoli were better treated in comparison to slaves in Fezzan and Ghadames. This was indicated by masters' involvement in their slaves' weddings, clientship and wills left by masters. Other slaves that were mistreated fought for their rights in court or ran away to resist their enslavement. Thus signifying the power of slaves in the Libyan society and their fight for economic and social independence

There is still a collective memory of slavery in Libya as hard work and exploitation. Data extracted from interviews with three people from Fezzan documents this ill treatment of slaves. One of the interviewees said that slaves were treated heartlessly as they undertook all hard work while the locals (non-slave) did nothing.<sup>11</sup> Although interviewees from Ghadames did not answer the questions related to bad treatment, interviewees from Fezzan claimed that slaves in most areas in the south (Fezzan, Ghat, Ghadames,) were treated the same way heartlessly. An anecdote circulated across Libya says "have a break Brakah, grind seed of the dates".<sup>12</sup> This phrase signifies that slaves never enjoyed breaks, as even during breaks they had other strenuous duties to perform. It symbolises the cruelty towards slaves in Ghadames and Fezzan. However, it is not possible to generalise the maltreatment of slaves in Fezzan and Ghadames since some families thought of their slaves as a member of their household and in some cases such as enslaved caravan workers, a relatively high degree of intimacy existed between both parties. Without direct evidence from the enslaved, we cannot be confident about whether their treatment was more benign in Tripoli than in Fezzan and Ghadames.

The end of slavery had an impact on the social life of former slaves in Libya. Chapters three and four raised questions about manumission. Chapter three discussed the patterns and reasons for emancipation in Libya before the abolition of slavery. It also traced changes in patterns of emancipation that occurred under the Ottoman and Italian policies over time. Chapter four investigated the social lives of emancipated slaves in Libya before and after the abolition of slavery. The aim of both chapters was to understand how slavery and the end of slavery affected ongoing relationships of 'clientship'. What we can see constantly in the court records is that former slaves

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<sup>11</sup> Interview with Muftah, by Amal Al-Taleb, Tripoli, 8/1/2013; Interview with Salma, by Amal Al-Taleb, Tripoli, 10/1/2013; Interview with Salah, by Amal Al-Taleb, Tripoli, 16/4/2013.

<sup>12</sup> Brakah is referring to a name specifically given to male slaves, Marwan, *al-Hayat al-Iqtisadiya wa al-Ijtima'iya wa al-Thaqafiya*, p. 167.

did not obtain a new life, as they remained dependent on their former masters and married amongst themselves. This was a history of transition in Libyan society, as the labour force which comprised former slaves became formally free. Chapter three analysed the emancipation of slaves during enslavement and after the prohibition of slave trade. It showed how the process took place in Libya. The mechanisms of manumission that existed in Libya before the abolition of slavery were relatively unaffected by Western pressure; the types of emancipation were not changed, the motives for, and process of, manumission (as well as the experiences after manumission) were more marked by continuity than change in the period between 1800 and 1911.

The social life of former slaves before and after the prohibition of slavery also revealed the complex ways in which the process of emancipation worked in the late nineteenth and early twentieth century. It showed that slaves were faced with the primary difficulty of grappling (negotiating) for clientship (*al-wala'*) with their former masters for survival. Although some ex-slaves unquestionably improved their status with a substantial minority who acquired good skills, becoming important and powerful members of society, such as caravan workers and agents, others were low wage labourers; living on the margins of Libyan society. The latter remained ill-treated irregular work and low wages were prevalent in Tripoli, Fezzan and Ghadames and this was confirmed by the attitudes of interview participants who sometimes avoided talking about wage labourers. It is clear from other participants from Fezzan and case records in Tripoli that a struggle existed as former slaves were sometimes forced to work for no wages. Consequently, the price of freedom for some ex-slave was stigmatization and lack of real independence since they had no rights to claim under occupational circumstances. For example, local customs of Ghadames forbade marriage between freed slaves and the free-born. Despite this, manumitted slaves did go to court to claim rights, positions and obligations, revealing the ways in which former slaves responded to changes in their status.

This thesis represents an initial explanation of the long transition of emancipation in Libya. Crucial work is now needed to extend this *long durée* approach analysing the legacies of slavery through to the present. Further research is needed on how the policies of Ghaddafi impacted on the client's relationships and social lives of former slaves. The history of slavery is deeply embedded with Libyan



society and politics. The end of slavery is more than a sole event of emancipation and thus the impact of slavery on the identity of descendent of slaves also needs to be explored.

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(1836-1838)

No.1388, starts 1-Rajab-1252 (12-Oct-1836) to 3-Rajab-1254 (22-Sep-1838)

No.13 (1836-1853)

No.22 (1837-1854)

No.15 (1838-1841)

No.18, 1256-1259 (1840-1843)

No. 21, 1263-1265 (1846-1848)

No.1121, 1266-1267 (1850-1851)

No.1011, starts from 18-Muharram-1270 (21-October-1853) to 26-Ramadan-1270 (22-July-1854)

No. 143 (1870-1872)

No. 801, 1306-1307-1308 (1888-1890)

No. 930, starts from 10-Safar 1308 (25-September-1890), and ends on 29-Shawwal-1310 (16-May-1893)

1316-1324 (1898-1906)

No. 1146, starts from 23-Jumada al-Awwal-1318 (18-September-1900) to 1-Ragab-1321 (23-September-1903)

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## Appendixes

### Appendix 1

Emancipation Cases Occurred between 1801-1838							
Date of manumission	Name of owner	Name of slave	Salve Sex	Age	Type of manumission	Comment	Colour – Nationality
1237 (1821)	al-Usta ‘Amurah al-Qadi	Khadija	1 female	N/A	Piety emancipation on the event of her mother’s death	Master was recommended upon his will that his emancipated slave would stay working as a servant for his family for the period of five months	(Tripoli court )
9-Ramadan-1252 (18-Dec-1836)	His wife’s al-Qayid Salim ibn ‘Abdullah	N/A	No gender	N/A	Manumission by will	Al-Qayid Salim ibn ‘Abdullah was recommended upon his will to purchase one Sudanese slave due to his illness, who would be emancipated after his death.	(Tripoli court )
7 Rabi‘ al-Thani 1253 (10-July-1837)	Yusuf Pasha al-Qaramanli (governor)	Madaiy Bardu	1 male	N/A	Piety emancipation, upon the death of his emancipated wife , where he purchased a slave, and then emancipated him	Testimonial proof of an old document emancipation, according to which the case was accepted and the slave was emancipated.	(Tripoli court)
1253(1837)	Katli Family		1 male	N/A	Upon the death of their father.	Emancipation document	(Ghadames court )
1253(1837)	Ramadan ibn Salah al-Qusiby	Bilkhir ibn ‘Abdullah al-Gnawyah	1 male	N/A	Written emancipation	Complaint by the slave’s ex-master against the agent treasury, who took over the property of the deceased ex-slave who had not bought his freedom	dark black skin (Tripoli court)
1838	Muhammd al-Ghadamsi	Nasir	1 male	N/A	Written emancipation	His slave, Nasir, would pay him thirty-three <i>mahbub</i> , and once the sum was paid to the master, Nasir would be free like all free Muslims were.	(Tripoli court )

Emancipation Cases Occurred between 1801-1838							
Date of manumission	Name of owner	Name of slave	Slave Sex	Age	Type of manumission	Comment	Colour – Nationality
23-Muharam-1254 (18-April-1838)	Ahmad ibn al-Hajj al-Wiyah	Nasir	1 male	<i>sadas</i>	Piety emancipation occurred after the event of his mother death	Complaint by the slave against the heirs of deceased master, who refused to give his manumission; case was accepted and slave was emancipated	(black dark skin) (Tripoli court)
1251 (1838)	Mruma's husband al-shaykh Muhammad al-Shakshukiy		No gender		Purchase of slave after the event of his wife's death (piety emancipation), and then emancipation of him	It was mentioned on the document that master purchased a slave for 45 <i>riyal duro</i> (Tripoli court)	(Tripoli court)

Emancipation Cases Occurred between (1841-1878)							
Date of manumission	Name of owner	Name of slave	Slave Sex	Age	Type of manumission	Comment	Colour- Nationality
1257 (1841)	al-Hajj Muhammad ibn Ma'tuq al-Misliti	'Aisha	1 female		Complaint by Salma on behalf of her daughter 'Aisha against al-Hajj Muhammad al-Sharif (the master), who impregnated her and then sold her. She requested the father's acknowledgement of his daughter 'Aisha	Master refused that the slave was impregnated by him, and the judge decided that the slave would remain as her master's property, who would have every right to sell her	Tripoli court
1846	Muhammad Effendi al-Mslati	Khadija	One female		Written contract	Master brought his slave before the court, and stated that the slave paid forty <i>mahbub</i> and became free	Tripoli court
8-Ragab-1267 (10- May-1851)	Muna bint 'Uttman al-Hasha'ishi al-Tunissiy	male	young slave		Piety emancipation after the event of the death of the daughter's master, who then emancipated his servant	N/A	(Tripoli court)

Emancipation Cases Occurred between (1841-1878)							
Date of manumission	Name of owner	Name of slave	Slave Sex	Age	Type of manumission	Comment	Colour-Nationality
2-Jumada al-Thani -1260 (18-June-1844)	Muham-mad Effendi, the writer of formal military	Bilal ibn ‘Abd Allah	1 male		Deferred emancipation: slave would be free after five years and would also be given the amount of twelve and half <i>mahbub</i> , as a gift.	Will manumission	Bornu origin (Tripoli court)
1270 (1853)	Turkiya bint Sha‘ban al-Hadidy al-Mislati	Fatimh <i>al-shwshana</i>	1 female		Piety emancipation occurred after the master’s declining health.	Complaint by the slave against husband of deceased master, who refused to give her manumission, but the case was accepted and slave became free, after hearing testimonies from witnesses.	<i>shwshana</i> (Tripoli court)
16 -Shawwal-1267 (14-August-1851)	‘Abd al-Salam abu Hilalah	Khadija	1 female	<i>saba ‘iya</i>	Deferred emancipation: slave would be free after six years, on the condition of good behaviour.	Complaint by the slave against the deceased ex- master’s daughter’s son, who refused to give her manumission, but the case was accepted and slave became free, after hearing testimonies from witnesses.	Sudanese origin. (Tripoli court)
13- Safar-1270 (15-Nov-1853)	al-shaykh Hassan ibn Hussin Zirybah	Sa’d	1 male		Deferred, emancipation: slave would be free after his master’s death, on the condition of looking after the master’s sons until the age of puberty.	One of the statement’s in the master’s will was the expenses of the slave.	(Tripoli court)
28-Muharram-1270 (31-October-1853)	‘Umar ibn al-Hajj Rihumah	Sa‘id	1 male	young	Piety emancipation	Reason for emancipation: the slave was unable to fulfil his duties.	(dark black skin) (Tripoli court)
1270 (1853)	the merchant Hassan bin ‘Ali al-Iskandarni	Fatima	1 female		Piety emancipation	N/A	a female of Bornu origin; dark-skinned; average height (Tripoli court)

Emancipation Cases Occurred between (1841-1878)							
Date of manumission	Name of owner	Name of slave	Slave Sex	Age	Type of manumission	Comment	Colour-Nationality
13-Rabi' al-Thani 1270 (13-Jan-1854)	al-Hajj Ahmad ibn Muhammad ibn Talha al-Hinshiri	Khair	1 male		Deferred emancipation: wrote in 1266(1850) when master was ill, that slave would be free after his master's death, on the condition of looking after the master's son Muhammad until the age of puberty.	Complaint by the slave against the brother of his deceased master, who refused to give him paper manumission, and the slave lost it, but case was later on accepted and slave became free, after testimonies from witnesses.	Sudanese origin, black dark skin (Tripoli court)
12-Jumada al-Awwal-1270 (10-Feb-1854)	Muhammad al-Gamli	Zihira	1 female		Piety emancipation occurred in 1844 after the death of the Muham-mad al Gamli's daughter, who purchased a slave with fifteen from the property of his daughter, and then emancipated him.	Complaint by the slave against the heirs of the deceased master, who refused to give her paper manumission, but case was accepted and slave became free after hearing testimonies from witnesses.	<i>zinjiya</i> , short height ,disabled right hand (Tripoli court)
10-Safar 1271 (1-Nov-1854)	Salam ibn al-Hajj Muhammad al-Ziqali'i	Zahra <i>al-zinjiya</i>	1 female slave		Slave claimed that Muhammad, the son of her master had intercourse with her and that she had conceived and given birth to a baby girl.	Case was refused after hearing testimonials from both master and son, and the judge decided that the slave and her baby would remain within the property of the master.	<i>zinjiya</i> (Tripoli court)
22-Rabi' al-Awwal -1271 (13-Dec-1854)	Seven people from high-ranking families	Rihan	1 male	young	Several people participated and bought together a slave who was within the property of a Turkish military officer, and then they emancipated him.	Emancipation Document	Bornu origin, average height , black dark skin (Tripoli court)
1286 (1869)	a family of Ahmad ibn Muhammad al-Thani		4 males and 1 female		Upon the death of their father, they emancipated five slaves from their father's property.	Emancipation Document	(Ghadames court)



Emancipation Cases Occurred between (1841-1878)							
Date of manumission	Name of owner	Name of slave	Slave Sex	Age	Type of manumission	Comment	Colour- Nationality
1-Shawwal-1295 (28-Sep-1878)	Hajj ‘Abdullah ibn Salah	‘Ali	1 male slave		Deferred manumission	Master stated in court that his male slave would have to serve him for seven years from the certification date, a period of time after which he would then be free like all free Muslims.	(Ghdames court)

Emancipation Cases Occurred between 1890-1903							
Date of manumission	Name of owner	Name of slave	Sex	Age	Type of manumission	Comment	Colour – Nationality
1307 (1890)	Khadwja bint al -S‘aid Hussin Jabarah		1 save		Emancipation through the master’s will when he was ill	Master recommended to purchase a Sudanese slave, then emancipated her, and also stated that the ex-slave would stay working as a servant of her daughters.	(Tripoli court)
27-Jumada al-Thani-1307(17-Feb-1890)	al-Qiwal Akghasi Tahir Effendi	Kharafat	1 female		Master emancipated his concubine, then married her in 1889	Complaint by ex -slave against the heirs of deceased master, who refused to give her share of the property, in addition to her bridal price , but the judge ordered the defendant to pay for the pride payment, after hearing testimonies from witnesses.	(Tripoli court)
25-Shawwal-1310 (12-May 1893)	Ahmad Effendi ibn hajj al- Qirbajiy	Hassan Mluk	female		Manumission through concubine	Testimonial proof of document emancipation and marriage contract, which occurred in 1865.	(Tripoli Court)
1315 (1898)	Hajj Muhammad Talaha	Khir	1 female		Deferred manumission	Master stated when he travelled, that his slave was required to look after his sons until the age of puberty and daughters until they would get married. After the fulfilment of these requirements, the slave would be free.	(Ghadames court)

Emancipation Cases Occurred between 1890-1903							
Date of manumission	Name of owner	Name of slave	Sex	Age	Type of manumission	Comment	Colour – Nationality
1318 (1900)	Ahmad ibn al-Faqih	Abdullah	1 male		Gave birth to child through concubine	The case stated that master died in Tripoli, and one of her children was ‘Abdullah who was supposed to be free, as one of the inheritors, but the case does not state that concubine inherited from her master or that she obtained her freedom.	(Ghadames Court)
1317 (1900)	al-Hajj Ahmad ibn al-Hajj Hammuda	Hajj Qassim, Hajj-Abubakr, ‘Aisha, Jaziya, Mariam, Fatima	2 males and 4 females	3 adults and 3 still young	Gave birth to child through concubine	Master stated that he had five concubines, as well as six children by all of them in total, three of whom were adults. But case does not state that master emancipated his concubines.	(Ghadames court)
16- Rabi‘ al Awwal 1319 ( 3 July 1903)	Hassan Pasha the son of Usuf Pasha al-Qaramanli	Fatima Tibra	1 female 1 female	30 40	Piety emancipation Piety emancipation	Emancipation document	both from Sudan, , <i>hamrwiya</i> skins (Tripoli court)
18- Rabi‘ al Awwal-1319 (5 July 1903)	<i>al-zinjiya</i> Hiwwah called Umm Amina, the emancipated slave of Rashid Bik al-Masri	Fatima	1 female	20	Piety emancipation	Emancipation document	Bornu origin, dark, ( <i>zinjiya</i> ) (Tripoli court)

Source: MG, SMGS, 1316-1321 (1898-1903); MLMDT (T) QA, SMSTG, No.1021; Ibid, No.1388; No.1121; No.1011; No.801; No.1146; No. 930; No.13; No.143; Vol.15; No.22.

## Appendix 2

Patterns of Emancipation			
Name of Master	Numbers	Reason of Emancipation	Date of emancipation
Yusuf Pasha al-Qaramanli(governor)	150 slaves	Upon the death of his daughter <i>lilla</i> Zinuba	12-Rajab-1236 (15-April-1821)
Yusuf Pasha al-Qaramanli(governor)	more than 230 of slaves	Upon the death of his wife <i>lilla</i> ‘Iysha	3-Muhaarm-1240 (28 -August-1824)
Mustafa Bey and Ali Bey	37 of slaves	Upon the death of Muhammad al-Daghiys, a senior staff of the Palace	17-Muhaarm-1241 (1-Sep-1825)
Ahmad Bey al-Qaramanli	<i>al-Yaumiyyat</i> does not mention the number	The Qaramanli ruler Ahmad Pasha, killed one of his female slaves	19-Shawwal-1241 (26-May-1826)
Usuuf Pasha al-Qaramanli (governor)	138 of slaves	Upon the death of Ahmad Bey al-Qaramanli	1828
al- Pasha al-Qaramanli	<i>al-Yaumiyyat</i> does not mention the number	Upon the death of <i>lilla</i> al-Jahinyah	8-Rabi‘ al-Awwal-1246 (27-August-1830)
Khalil Bey Benghazi	thirteen	Upon the death of his little son called Hussin	23-Dhul Hijja-1246 (4-June-1831)
the family of ‘Uthman Bey al-Qaramanli	twelve	Upon the death of ‘Uthman’s daughter by Ethiopian slave women	18-Dhul Hijja-1247 (19- May-1832)
Ibrahaim al-Qaramanlii	emancipated 17 of male and female slaves	Upon the death of his daughter from his <i>khadim</i> slave	29-Rajab-1247 (3-Janurary-1832)

Source: Hassan, *al-Yaumiyyat al-Libiya*.

### Appendix 3

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
<i>Sijillat mahkama shar 'iya Tarablus al-gharb</i> [The Registers of Tripoli legislative courts], No. 930, starts from 10-Safar 1308 (25-September-1890) and ends on 29-Shawwal-1310 (16-May-1893)					
1	10 <sup>th</sup> Safar 1308 (25-Dec- 1890)	The case was to evaluate a child maintenance, the 4 year-old Fatima. The husband had been brought to court, and had willingly accepted to pay 20 Turkish <i>qrish</i> each month to the mother, for whatever she might had needed in terms of food and clothing for Fatima. She could also borrow money if she needed which the husband would return back to the lender as soon as he would be financially self-sufficient.	Child maintenance case	Ex-husband Muhammad <i>al-zinji</i> ibn 'Abdullah, 'ex-slave of al-Qasim al-Amin	The wife was called Hawwa <i>al-zinjiya</i> bint 'Abdullah, ex-slave of his Honorary Mustafa Agha
2	10 <sup>th</sup> Safar 1308 (25-Sep-1890)	She had acknowledged before the judge that she had had a 4 year-old daughter to an ex-husband, called Fatima and had requested for child maintenance, which had been decided to be 20 Turkish <i>qrish</i> each month for Fatima's food and clothing. She could also borrow money if she needed which the husband would return back to the lender as soon as he would be financially self-sufficient.	Alimony evaluating case	Ex-husband Muhammad <i>al-zinji</i> Aby'abdullah, ex-slave of abu al-Qasim al-Amin al-Busaify	Hawwah <i>al-zinjiya</i> , ex-slave of Mustafa Agha Zummit
3	15 <sup>th</sup> Rabi' al-Thani 1308 (28 <sup>th</sup> -Nov- 1890)	The wife acknowledged before the judge that her husband who had been emancipated by the government, had been absent for a long time, leaving her with no maintenance. She then requested the court to allocate her alimony, which had been decided to be 45 <i>qrish</i> 'uthamani due to her necessary needs for food and clothing.	Alimony evaluating case	The husband is <i>al-zinji</i> Musa, ex-slave of Muhammad Shahania (job, Turkish Government)	Fatima <i>al-zinjiya</i> bint 'Isa (resident of Addahra district)

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
4	10 <sup>th</sup> Jumada al-Thani 1308 ( 21- Jan-1891)	She had also acknowledged before the judge that she had requested <i>khul'</i> from her husband, in exchange for conceding her arrear dower, which had been equated to half ounces of pure silver, 3 ounce-weight of bracelet, and 10 <i>qrish</i> .	The husband agreed to the divorce	<i>al-zinji</i> Mas'ud ibn 'Abdullah, ex-slave of Sa'id al Ghadamsi	Hawwa bint 'Abdullah, ex-slave of Ali al-Iskandarani
5	18 <sup>th</sup> Rabi' al-Thani 1308 (1-Nov-1890)	(Due to the dispute and hard conditions of cohabitation, the wife had to concede her arrear dower which had been equated to 150 <i>riyal sabiliya</i> and the alimony of her <i>'idda</i> .	The husband agreed to the divorce	Salah, ex-slave of 'Umar al-Hanshiri al-Jibali	<i>al-zinjiya</i> Hawwah, ex-slave of Muhammad ibn Ahmad ibn 'Abdullah al-Tunsiy
6	2 <sup>nd</sup> Dhu al-Hijja 1308 (9-July-1891)	The husband had also claimed against his wife who had refused to live with him in Janzur, due to fear of harm. However, after listening to the witnesses' testimonies, the husband was asked to pay a maintenance of 30 <i>qrish</i> each month.	The husband owned a plot of land in the suburb of Janzur	Musa ibn Hussin, ex-slave of shaykh Fakhir al-Ghiryani	<i>al-zinjiya</i> called Fatima bint Aby Sa'd
7	23rd Dhu al-Hijja 1308 (30-July-1891)	The alimony had been evaluated and decided to be 60 <i>bara</i> each day.		Salah ibn 'Abdullah al-Wadawi	<i>al-zinjiya</i> Amina al- Baqirmiya, ex-slave of al-Hajj Ahmad al-Qarni
8	8 <sup>th</sup> Muharram 1309 (13-August-1891)	He divorced his wife and was committed to pay her a ounces of silver as arrear bride price, as well as 10 <i>qrish</i> each month, as child maintenance for his baby daughter.	Confirmation of the divorce as well as the arising rights. Marriage between the master and his freed female slave.	Salim Karim ibn Qaduir from al-Shara' al-Gharbi	Khadija bint al-Ghiryani, ex-slave of al-Hajja Amina al-Qamati
9	16 <sup>th</sup> Shawwal 1309 (13-May-1892)	The husband who was free, divorced his wife and paid her the arrear dower (which was one ounces of pure silver), and the alimony for her <i>'idda</i> period (which was estimated for 45 <i>qrish</i> ) every month. The husband paid the wife 20 <i>mahbub</i> , plus 135 <i>qrish</i> , as alimony for the period of <i>'idda</i> (3 months and 10 days).	Confirmation of the divorce	His Honorary al-Hajj 'Abd al-Qadir ibn ' Abd al-Rahman al-Qadhi	Fatima bint al-Hajj Ahmad Qiniwa, freed by Sidi 'Imura Bey

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
10	2 <sup>nd</sup> -Shawwal 1309 (29 April-1892)	NA	Case of child maintenance from the father's part (daughter) on behalf of deceased wife. The case also concerned inter-freed slave marriage, followers of the same master.	Al-Hajj Muhammad ibn Sulyman, ex-slave of al-Rajhi	Halima daughter of 'Abdullah, ex-slave of al-Rajhi
11	1 <sup>st</sup> Rabi' al-Awwal -1309 (4-Oct-1891)	The couple came to the court in a state of dispute. The wife waived her husband off the arrear bride price, which was 4 ounces of silver and conceded her alimony. He then divorced her.	<i>Khul'</i> case, the husband accepted the divorce	the husband (free man) is al-Hajj 'Abdulsalam ibn Ali ibn Hussein al-Mughrabi	<i>al-zinjiya</i> al-Hajja Mabruka, ex-slave of al-Hajj Hussin ibn Mas'ud al-Rajhi
12	6 <sup>th</sup> Rabi' al-Awwal 1308 (9- Oct-1891)	The husband accepted the terms and divorced her	Upon dispute due to ill-cohabitation, the wife waived her husband off her arrear bride price of half ounces of pure silver and the husband was committed to pay alimony of 60 <i>qrish</i> .	Abubakr, ex-slave of Muhammad ibn Hammadi al-Talbi	Fatima, ex-slave of Abu al-Qasim Asswai'i
13	22 <sup>nd</sup> Jumda al-Awwal 1309 (24-Dec-1891)	The husband accepted the terms and divorced her	Due to impossible cohabitation, the wife had to concede her arrear bride price of three quarters of a ounces of pure silver.	Khamis, ex-slave of Muhammad son of 'Abdullah al-Tarhuniy	Hawwah, ex-slave of Bey Ahmad Effendi (retired fields soldier)
14	2 <sup>th</sup> - Dhul-Hijja 1309b (17-July-1892)	The divorcee claimed against her ex-husband, that he still owed her 2 <i>majidi riyalat</i> , plus half one ounces of pure silver of her arrear dower. For seven days he had utterly been warning her that he would divorce her through repudiation and she, in the meantime, had gotten pregnant. The ex-husband finally consented and the Judge decided alimony to be paid to her until she gave birth.		Ex-husband Fathallah, ex-slave of al-Hajj Yusuf al-Maqaryif	<i>al-zinjiya</i> Fatima bint Muhammad al-Bittawi

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
15	2 <sup>th</sup> Dhu al-Hajja 1309 (22-July-1892)	She had acknowledged that her ex-husband divorced her on the basis of <i>khul'</i> the year before and that she had a 2 year-old son with him called Muhammad. She requested for child maintenance and the judge decided to the amount of 73.5 <i>qrish</i> every month.	Alimony evaluating case	Ex-husband was <i>al-zinji</i> Muhammad al-Swidani, ex-slave of Hajj Ali al-Barki al-Tajuri	<i>al-zinjiya</i> al-Brinwiya (Bornu) called Fatima, ex-slave of al-Hajj Muhammad bin Dhirgham, the Judge, she was known as bint Yizza (mother), who resided in Dahrit Bab al-Manshiya Tripoli
16	10 <sup>th</sup> Muharram 1309 (15-August-1891)	The husband admitted <i>khul'</i> and divorced her	The wife divorced ( <i>khul'</i> ) her husband after conceding her arrear bride price of 8 ounces of silver, and her alimony. He also owed her 5 <i>mahbub</i> , agreed to be paid on five monthly instalments. The husband was present, accepted her concession and divorced her. The witnesses were <i>shwshan</i> Barka, ex-slave of Hajj Ahmad al-Sa'di and <i>shwshan</i> 'Abdullah, ex-slave of Hajj Ahmad al-Adgham al-Musrati.	<i>al-shwashan</i> Sa'id ibn 'Abdullah, ex-slave of Muhammad ibn al-Marzuqi	Fatima bint 'Abdullah ibn 'Abdullah, ex-slave of 'Abdarrahman ibn al-Hajj Salim al-Qaidwi
17	11 <sup>th</sup> Rabi' al-Awwal -1309 (14-Oct-1891)	Case concerning the living standards of the freed slaves, (followers of the wealthy). The husband divorced his wife by proclaiming that he would divorce her. However, he had pledged to pay her arrear dower, according to which he owed the evaluated sum of 5 <i>mahbub</i> as alimony and 5 <i>mahbub</i> as maintenance, until her baby's birth, that would be due in 4 months (10 <i>mahbub</i> in total). The witness was Qmaira Agha, ex-slave of Mustafa Pasha (Administrator of Fezzan).	Case of divorce and rights granting	al-Mukarram Mas'ud Effendi, ex-slave of ... Agha.	Hawwah bint 'Abdullah, ex-slave of the former director of the tax department

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
18	5 <sup>th</sup> Sha'ban 1310 (22- Feb-1893)	All of them (al-Mukarram Ali ibn al-Hajj 'Umar 'Abdulsalam al-'Azibi, al-Shaykh al-Said, and <i>al-zinji</i> Muhammad <i>al-shwshan</i> ) had testified that <i>al-zinji</i> Mas'ud, ex-slave of Faqih Ali al-'Aradi, had gone absent and ceased to have contact with his wife, with whom he had a 7 month-old baby boy. The wife had claimed that the husband divorced her before leaving, and requested for alimony evaluation. The court decided that the husband would pay for 30 <i>qrish</i> every month. She had been permitted to borrow the money from the treasury.	The case concerned the relationships between the families of the free people and the freed slaves	<i>al-zinji</i> Mas'ud, ex-slave of Faqih Ali al-'Aradi (The residents of the Hinshir village)	N/A
19	25th Sha'ban 1310 (14- March-1893)	According to the witnesses' testimony, the husband had affirmed that his wife (Husn Malak Khanum, daughter of 'Abdullah al-Jerkasi) was still married to him, and she was a slave, whom he had freed in 1281/1865 and had included in the community of free Muslims. He granted and acknowledged her a marriage dower of 150 gold Lira and 100 Egyptian <i>mahbub</i> .	Confirmation of an old emancipation and marriage documents.	N/A	Ahmad Afandi ibn al-Hajj Muhammad ibn 'Ayyad al-Qarqni
<i>Sijillat mahkama shari'ya Tarabulus al-gharb</i> [The Registers of Tripoli legislative courts ], No. 1146, starts from 23rd Jumada al-Awwal-1318 (18- September 1-900) 1- Rajab 1321 (23- September-1903)					
20	2 <sup>nd</sup> Jumada al- Thania 1318 (26-Sep- 1900)	The court had compelled the husband to pay for alimony which had been decided at the amount of 60 <i>bara</i> every day, until he would able to provide her with a proper residence, along with its necessary equipment . <sup>1</sup>	Alimony evaluation	Sasi, <i>al-shwshan</i> ex-slave of Bey Derna	<i>al-zinjiya</i> Kanno, ex-slave of shaykh Abdulhafith ibn Sa'dan al-Werfalli

<sup>1</sup> Proper residence here signifies what is known in Islam as "*maskan shar'iy*", or according to the specifications laid down by *shari'a* court.



Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
21	28 <sup>th</sup> Jumada al-Thania-1318 ( 22-Oct-1900)	The court had compelled the husband to pay for alimony which had been decided at the amount of 60 <i>bara</i> every day, until he would be able to provide her with a proper residence, along with its necessary equipment.	Alimony evaluation	Hajj Musa, ex-slave of Aby 'Iysha	'Iysha bint (al-Mukhtar al-Ghadamsi
22	28 <sup>th</sup> Jumada al-Thania-1318 (22-Oct-1900)	The case had indicated that there had been a shaykh for the slaves in Tripoli and his name was Hamduh, ex-slave of Hajj Muhammad al-Thani, who served as the witness for this case.	The husband had testified that he was married to Amina with arrear dower of half ounce of silver and when he divorced her, she requested her bride price back.	Salim ibn Muhammad <i>al-zinji</i> resident of al-Baladiya district	Amina bint 'Abdullah, ex-slave of al-Na'ib (elite)
23	9 <sup>th</sup> Shawwal-1318 (30-Jan-1901)	N/A	A case of sanctioning alimony for the wife, which had been estimated at the daily amount of 40 <i>bara</i> , as maintenance for her daughters Khadija and Ziyab.	Farj Lowta al-Qahwaji	The wife was Fatima bint Mas'ud ex-slave of al-Haj Hussin al-'Alam al-Nabuli
24	11 <sup>th</sup> Shawwal-1318 (1-Feb-1901)	She had conceded her husband's full dower and ' <i>idda</i> alimony, in exchange for a divorce. The husband divorced her.	Bad and unbearable cohabitation with the husband, who left her with no grant.	N/A	Hawwa bint 'Abdrahman al-Fazzani, follower of late Isma'il Effendi al-Qajiji
25	21 <sup>st</sup> Muharra -1319(10-May-1901)	The court had sanctioned alimony at the daily amount of 60 <i>bara</i> , until the husband would be able to provide her with proper residence, along with its necessary equipment. The court had proposed she borrowed the money and return it later from her alimony.	Alimony evaluating	The husband was Jum'a ibn Khair ibn Mustafa <i>al-shwshan</i>	Fatima bint Muhammad ibn Ali al-Jihawi
26	6 <sup>th</sup> Muharram-1319 (25 April-1901)	The case had been brought against the ex-husband by the wife, requesting to increase the child maintenance for her daughter Hawa from 25 to 30 <i>qrish</i> , as 25 was too little.	Child maintenance case.	Ex-husband Ramadan ibn Sha'ban al-Qahwaji, (his job "café keeper")	'Awasha bint al-Hajj Muhammad ibn Muhammad <i>al-shwshan</i>

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
27	29 <sup>th</sup> Muharram - 1319 (18- May-1901)	The court had estimated alimony at the daily amount of 60 <i>bara</i> until he would be able to provide her with a proper residence, along with its necessary equipment. The wife had been permitted to borrow the money until she got her alimony.	A case of alimony estimation and enter- emancipation marriage (emancipated by the same master).	Mas'ud ibn 'Usman, ex- slave of Mustafa Qurji	Amina bint 'Abdullah <i>al-zinjiya</i> , ex- slave of Mustafa Zummeet
<i>Sijillat mahkama shari'iyat Tarabulus al-gharb</i> [The Registers of Tripoli legislative court] No. 394 ,1327 (1909)					
28	11 <sup>th</sup> Muharram- 1327 (2 Feb- 1909)	Husband answered and divorced her	She had requested her husband for a divorce ( <i>khul'</i> ), and in return would waive him off her dower arrears, which was estimated to 0.75 ounces of pure silver, and her alimony, which had been decided to be 60 <i>qrish</i> .	Ali ibn Muhammad ibn Ali, ex-slave of Hamida al-'Alim	Fatima bint the emancipated Nasir, who was a slave of Ehmaida ibn Rahumah
29	15 <sup>th</sup> Muharram- 1327 (6-Feb- 1909)	She was recognized in the court by her ex-master, which meant the continuation of the relationship between master and emancipated slave.	The husband had abandoned his wife without maintenance for 4 months. The husband replied that he had definitively divorced her 10 days before and owed her 4 ounces of silver and 4 French <i>lira</i> as dower, as well as 60 <i>qrish</i> as alimony, which he had paid 31 <i>qrish</i> out of.	'Uthman ibn Abibkir al- Sudani	<i>al-zinjiya</i> Mariam bint 'Abdullah, emancipat-ed by al-Hajj Muhammad ibn al-Hajj Khalifa who was known as ibn Yiza
30	28 <sup>th</sup> Safar- 1327 (28 Feb- 1909)	Husband answered and divorced her	She had requested her husband to divorce her ( <i>khul'</i> ) and in return to waive him off her dower arrears, which was half ounces of pure silver and alimony, which was estimated to be 60 <i>qrish</i> .	Muhammad ibn 'Abdul- rahman ibn Muhammad al-Furani	Fatima bint Sa'd, who was a slave of al-Hajj Muhammad Effendi
31	12 <sup>th</sup> Rabi al- Awwal, 1327 (3 April 1909)	Husband answered and divorced his wife, who was recognized by the ex-master of the emancipated slave, which meant the continuation of the relationship between ex-master and emancipated slaves.	She had requested her husband to divorce her in return for dower arrears, which was half ounce of the pure silver, and her alimony, which was estimated to be 50 <i>qrish</i> .	Rajab ibn Farj, ex-slave of al-Hajj Muhammad ibn 'Amar al-Fiqhi	Fatima Klu bint Sa'd al-Rayani

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
32	9 <sup>th</sup> Ramadan-1327 (24-Sep-1909)	Husband answered and agreed to a divorce ( <i>khul'</i> )	Husband divorced wife in return of waiving him off her dower arrears of half ounces of pure silver and her alimony which was 90 <i>qrish</i> .	Requested her husband Muhammad ibn Ali al-Susi	Owasha bint al-Hajj Muhammad Telghraf ibn Muhammad ali <i>al-shwshan</i> .
33	15 <sup>th</sup> Rabi al-Awwal, 1327b (6 April-1909)	Approval of divorce and due rights	Husband had stated in court record that she was his wife. He definitively divorced her. She waived him off her dower arrears, which was one and a half ounces of pure silver, with the estimated cost of 42 <i>qrish</i>	Decision at the presence of his wife Salima bint Muhammad <i>al-shwshan</i> (resident of al-Sarim street)	Said ibn 'Abdullah, who was ex-slave of al-Hajj Ramadan al-Fituri.
34	14 <sup>th</sup> Dhul-Qa'dah-1327 (27-Nov-1909)	Recognized by al-Hajj Yusuf ibn Ali, ex-slave of al-Hajj Mukhtar ibn Hamida al-Qumati and Musa ex-slave of al-Hajj 'Abdullah al-Qumati	The wife had claimed for discretionary alimony and a legitimate accommodation. She had been permitted to borrow the money	The divorcee husband was Mas'ud ibn 'Abdullah, ex-slave of al-shaykh al-Sadi	<i>al-ziniyya</i> Fatima bint 'Abdullah, ex-slave of Abdalnabi al-Qumati
35	4 <sup>th</sup> Ramadan-1327(19-Sep-1909)	Husband had recognized the marriage and imposed on himself 4 <i>qrish</i> daily as alimony to his wife and his 2 daughters until he prepared a furnished accommodation	The case was against the husband who abandoned her without maintenance for herself and her 2 daughters Fatima (7 years) and Saliha (5 years)	Barka, ex-slave of al-Hajj Muftah ibn 'Abdulsami'	Salima bint Kharallah, ex-slave of al-Hajj Ali al-Hajaji

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
<i>Sijillat mahkama shari'ya Tarabulus al- Gharb</i> [The Registers of Tripoli legislative court], No. 393-1329 (1911 )					
36	23-Jumada al-Awwal -1329 (22-May-1911)	The judge had decided the monthly alimony of two <i>qirsh</i> daily to cover for the expenses of herself and her daughter. On 22- 1329 (22-Dec-1911) she appeared in court, dropped the alimony from her husband and returned to live with him in his house.	Alimony case for Sasyah and her 4 year-old daughter Jamilah.	Ali ibn Muhammad al-Tawrihy	Sasyah bint Barka ibn Hassan (resident of al-Sidy street)
37	29- Jumada al-Awwal - 1329 ( 28-May-1911)	Husband agreed to divorce	( <i>khul'</i> ) Divorce case, where the wife waived the husband off her dower arrears, which was estimated at 4 ounces of silver and her alimony ( <i>'idda</i> maintenance), which was 90 <i>qirsh</i> in return for the divorce.	Sa'id ibn 'Abdullah (emancipated male slave) of al-Hajj Muhammad Zarruq	Mabruka bint Musa
38	29-Jumada al-Awwal-1329 (28-May-1911)	Judge had decided for monthly alimony of 40 <i>bara</i> daily and she had requested to borrow the money	This case was for estimating the alimony of the 4 year-old daughter of the divorcee by ( <i>khul'</i> ).	Sa'id ibn 'Abdullah emancipated male of al-Hajj Muhammad Zarruq	Mabruka bint Musa
39	17-Jumada al-Awwal-1329 (16-May-1911)	Husband accepted the conditions and divorced her definitively	( <i>khul'</i> ) Divorce case, in which she waived him off her dower arrears, which was one French <i>qirsh</i> and her alimony, which was 90 <i>qirsh</i> .	'Abdullah <i>al-shwshan</i> ex-slave of al-Haj Hassan ibn 'Abdulmalik al-Musrati	Halima bint 'Abdullah, ex-slave of Suliman al-Dahmani al-Musrati (resident of al-Dhahra city).
40	1 <sup>st</sup> Sha'ban- 1329 (27-June-1911)	Husband accepted the conditions and divorced her definitively	In return for a divorce (( <i>khul'</i> ) the wife would have to waiver the husband off her dower arrears, which was 4 ounces of silver and her <i>'idda</i> alimony .	Mas'ud ibn 'Abdullah al-Zaqar an employee in the Finance Department)	Mabruka bint 'Abdullah, ex-slave of al-Mahdi Muhammad (resident of Humit al-Baladyia).
41	12 <sup>th</sup> Rajab 1329 (9 July - 1911)	Husband accepted the conditions and divorced her	( <i>khul'</i> ) Divorce case: she waived him off her dower arrears, which was 0.75 ounces of silver, and her alimony	Mas'ud ibn 'Abdullah ex-slave by state. He works for the state finance.	Mabruka bint 'Abdullah , ex-slave of al-Hajj Muhammad al-Mahdawi

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
42	11 <sup>th</sup> Sha'ban-1329 (6th August-1911)	After the lawsuit and witnesses' hearing, it was proved that he divorced her after her agreement to it and waived him	The case was about not receiving dower arrears from the husband, who divorced her before the first year of marriage	Ali Nuzhat Effendi (Working for the Court of Appeals)	Jamila bint 'Abdullah al-Tarqi, ex-slave of Hassan Pasha (son of Yusuf Qaramanli Pasha (ruler)
43	26 <sup>th</sup> Sha'ban-1329 (21-Aug-1911)	When he was asked, he admitted to the claims. So he was imposed to pay for 0.50 <i>French qrish</i> , which would be shared between herself and her children.	A case of claiming alimony. In this case the wife had explained that her husband divorced her 2 months before (divorce repudiation) and that she had 2 sons from him, Muhammad (2 years) and Ali (4 months). He owed her dower arrears, which was half ounce of silver and maintenance for her two children.	A claim against her husband Sa'd ibn 'Abdullah ex-slave of Ali Abusbi (working for military office in Tripoli).	Mas'uda bint 'Abdullah, ex-slave of Ahmad Rasim Pasha, (Ottoman ruler Pasha in Libya 1881-1892)
44	1329 (1911)	N/A	The case was about a wife claiming divorce ( <i>khul'</i> ) from her husband.	Sa'd ibn 'Abdullah, ex-slave of al-Sheik Muhammad	Zid al-Mal bint Ali, ex-slave of 'Ali 'Ashuir
Sijillat mahkama shari'ya Tarablus al- Gharb, No.397 1331-1333 (1913-1915)					
45	2 <sup>nd</sup> Sha'ban-1331 (7-July-1913)	N/A	Alimony case for the divorcee and her son Muhammad, which was estimated to have been 5 <i>qrish</i> daily, until husband prepared legitimate furnished accommodation.	Abubakr ibn 'Abdullah	<i>al-zinjiya</i> Zahra the ex-slave of al-Hajj 'Abdullah al-Tahir
47	4 <sup>th</sup> Dul-Qa'dah-1331 (5-Oct-1913)	NA	Monthly alimony of 3 <i>qrish</i> , which had been imposed on the husband until he provided her with legitimate furnished accommodation	Her husband Mansour ibn Mas'ud al-Tajuriy	the woman was 'Aisha bint 'Abdullah, the ex-slave of Mustafa al-Amin
48	9 <sup>th</sup> Dul-Qa'dah-1331(10- Oct-1913)	( <i>Khul'</i> ) Divorce case	In return for a divorce, ( <i>khul'</i> ) the wife would have to waiver the husband off her dower arrears.	Sa'd al-Zilitni	Khadija bint 'Abdullah, the ex-slave of al-Hajj Ahmad Abuhalfaya

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
49	20 <sup>th</sup> Dul-Qa'dah-1331 ( 21-Oct-1913)	N/A	Divorce case from a husband who had been absent for 2 years, leaving the wife with neither maintenance nor a sponsor.	Husband is Salim ibn Braka al-Gharyani, the ex-slave of 'Atiq Nawif	the woman was Hawa 'Umar Mali
50	18 <sup>th</sup> Dul-Qa'dah-1331 (19-Oct-1913)	Estimation of alimony	A case for claiming alimony. The judge had decided that it should be 6 <i>qrish</i> daily for her and her children from the husband. Children were al-Mukhtar, 'Abdullah and Mahbuba. They had been ordered to submit the alimony claim to 'Aisha and she had been permitted to borrow the money. On 1332(1913), the amount was raised to be 7,5 <i>qrish</i> daily.	Mas'ud ibn Muhammad, the ex-slave of al-Hajj Hamida ibn al-Faqih	'Aisha bint Muhammad, the ex-slave of al-Hajj Ibrahim Qirwash
51	18 <sup>th</sup> Dul-Qa'dah - 1331(19-Oct-1913)	Witnesses were: 'Usman, ex-slave of Mustafa Zummit and al-Hajj Muhammad, ex-slave of Mansuir Pasha ibn Qadara	( <i>khul'</i> ) Divorce case. She waived him off her dower arrears and alimony and requested for a divorce. He accepted.	Sa'id ibn Abdulla, the ex-slave of Khalifa al-Qadi al-Zantani	Qarqadan, ex-slave of Yusuf al-Jarkasi
52	19 <sup>th</sup> Dul-Qa'dah -1331 ( 20-Oct-1913)	N/A	Deciding on alimony to be 3 <i>qrish</i> monthly.	Sa'id, ex-slave of al-Hajj Ahmad ibn Shaib al-Zawi	the wife was Salma bint Sa'd
53	1 <sup>st</sup> Muharram-1331 (10 Dec-1912)	N/A	Evaluation of alimony that was finally decided to be 80 <i>bara</i> daily. She received maintenance of 5 days and had been permitted to borrow money.	Ali, ex-slave of al-Amin ibn 'Abdulwahid al-Sukaniy	the wife was 'Arfana bint Bilal, the ex-slave of Zuhdi Pasha

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
54	17 <sup>th</sup> Muharram 1332 (15- Dec-1913)	N/A	Alimony evaluation on the daily amount of 80 <i>bara</i> , and 40 <i>bara</i> for his son. She received maintenance of 5 days and had agreed to borrow money and get them back from the divorcee when he would be financially self-sufficient.		Salima bint Mas'ud ibn Libazz
55	26 <sup>th</sup> Muharram 1332 (24- Dec-1913)	The husband had confirmed his wife's testimony after he was called up. Witnesses had been presented	A request of alimony evaluation to be decided for her and her child. Maintenance for her son Muhammad from her absent husband who had disappeared leaving her with no money.	The husband was Khair <i>al-shwshan</i> ex-slave of Muhammad bin abi'ashah	Khadija bint 'Abdullah, ex-slave of Mahammad al-Zawiy
56	20 <sup>th</sup> Safar 1332 (17- Janurary- 1914)	N/A	The divorce case had ended by the husband's testimony before the court, who desired to divorce his wife due to impossible cohabitation.	The husband was Sa'd <i>al-shwshan</i> , ex-slave of 'Abdulhafiz	Amina, ex-slave of Hajj Suliman al-Aranautiy
57	2 <sup>nd</sup> Sha'ban- 1331 (7-July- 1913)	N/A	Alimony case for the divorcee was her son Muhammad, which was estimated to be 5 <i>qrish</i> daily, until husband would prepare legitimate furnished accommodation.	Abubakr ibn 'Abdullah	<i>al-zinjiya</i> Zahra the ex-slave of al-Hajj 'Abdullah al-Tahar
58	25 <sup>th</sup> Safar 1332 (22 January 1914)	It had been mentioned that the reason for divorce was impossible cohabitation. The husband had vowed that his wife would be divorced if she left the house. She left the house with her baby daughter called Zahra and consequently the divorce occurred.	She had requested her <i>'idda</i> maintenance and her arrear dower and maintenance for her daughter. The Judge decided it to be 20 <i>franc</i> for her and 10 <i>franc</i> for her daughter.	Along with al-Hajj Ali ibn al-Hajj 'Iysa , ex - slave of al-Haj Qasim ibn al-faqih al-Ghadamsi	in presence of Fatima bint 'Umar ibn Salim 'Urf Natko, ex- slave of al- Hajj al-Kilani ibn 'Uthman al-Ghadamsi

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
59	27 <sup>th</sup> Safar 1332 (24- Janurary- 1914)	NA	Alimony evaluation: the Judge had decided it to be half a <i>franc</i> every day until the husband would be able to provide her with a proper residence, along with its necessary equipment.	Muhmmad ‘Abdullah, known as " <i>al-Kwash</i> " , worked as a baker	Mabruka bint ‘Abdullah, ex -slave of Khalifa ibn al-hajj al-Tarhuniy
60	9 <sup>th</sup> Rabi‘al- Awwal-1332 (5–Feb-1914)	Recognition of divorce and the right for alimony and arrear dower, which was decided at a ounces of pure silver, and maintenance of a monthly amount of 50 <i>qrish</i> for his 3 month-old daughter Hawwah	Recognition of divorce and the right for alimony and arrear dower	In the presence of the husband al-Basheer bin al-Hajj Musa, ex-slave of Muhammad Abu ‘Iysa	Mannuba bint Muhammad (Resident of Bab al-Bahir neighbourhood)
61	8 <sup>th</sup> Rabi‘ al- Thani-1332 (5-March- 1914)	Details were withheld	The wife had requested for <i>khul’</i> and had disregarded the marriage ( <i>nikah</i> ) contract, offering to waive her arrear dower as well the child maintenance off her son and the baby in her womb.	Khair, ex-slave of Muhammd ibn Khalifa Abu‘aisha	The wife was Khadija <i>al-zinjya</i> ex-slave of Muhammad ibn Khalifa Abu‘aisha
62	12 <sup>th</sup> Rabi‘al- Awwal-1332 (8-Feb-1914)	The husband had responded that he was poor, but was ordered by the Judge to pay for the arrear dower which had been decided to be 4 ounces of pure silver plus 60 <i>qrish</i> for the period of her ‘idda.	On the base of divorce, the wife had requested for alimony and her arrear dower, which was 4 ounces of pure silver.	Muhammad ibn ‘Abdarrahman Werfalli <i>al-shwshan</i> .ex-slave of Muftah ibn Ahmad	Fatima bint Ali Yarim, was known as <i>al-shwshan</i> , she was an ex-slave of ‘Aisha bint Kara
63	20 <sup>th</sup> Rabi‘al- Awwal-1332 (16-Feb- 1914)	Alimony sanctioning	Daily alimony was decided to be half a <i>franc</i> and ex-wife had been permitted to borrow the money.	Mas‘ud Naji, ex-slave of Ramadan ibn ‘Ashwir	<i>al-zinjiya</i> Zahra bint ‘Abdullah
64	18 <sup>th</sup> Jumada al-Awwal 1332 (14- April-1914)	<i>Khul’</i> divorce was proven	A case against the wife who had been planning to get married to another man, after getting a <i>khul’</i> divorce, before the end of her ‘idda .	<i>al-shwshan</i> Ibrahim al-‘Allaqi	Salima bint Sasyiah ibn Salah al-Shawishy al-Ghiryani



Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
65	15 <sup>th</sup> Rajab 1332 (9-June-1914)	It had been decided in absentia that the ex-husband must pay for 15 <i>franc</i> per month.	A case of requesting child maintenance from her ex-husband, from whom she had gotten a <i>khul'</i> divorce four months before, for her 5 year old son and 40 day old baby Fatima.	<i>al-shwshan</i> Khair ibn 'Abdullah, ex-slave of aby 'Iysha al-Zilitni	Khadija bint 'Abdullah, ex-slave of Mahmud Bzaiw
66	25 <sup>th</sup> Rajab 1332 (9-June1914)	As supported by the witnesses' testimonies, marriage, emancipation, and absence was proven (the couple had been emancipated by the same master).	Request for alimony from her husband who had disappeared for 14 years.	Farj, ex-slave of Ibrahim al-Makari (the same ex-master)	Halima, ex-slave of Ibrahim al-Makari
67	20 <sup>th</sup> Sha'ban 1332 (14-July-1914)	As supported by the testimony of two witnesses (one was ex-slave and the other was a free man), marriage and absence were both proven (the couple had been emancipated by the same master).	The wife requested for a divorce due to husband's absence for 7 years, who had left her along with her 8 year-old daughter Fatima. She had no idea of his whereabouts. She requested for a divorce so that she could marry another man.	Muhammad <i>al-zinji</i> , ex-slave of al-Hajj 'Amar Rihuma al-Zintani	'Iysha <i>al-zinjiya</i> ex-slave of al-Hajj 'Amar Ruhma al-Zintani
68	25 <sup>th</sup> Sha'ban 1332 (19-July- 1914)	Divorce confirmation along with the debt of the ex-husband, which was the ex-wife's arrear dower of 8 ounce of silver, equivalent to 24 <i>franc</i> , and the child maintenance to his 4 year-old daughter Fatima and one year old, son Sa'd; their maintenance was 16 <i>franc</i> .	Alimony case	<i>al-zinji</i> al-Usta 'Ashulr, ex-slave of Sa'id ibn Madyan al-Mahjub (al-Najjar "the carpenter", was the career)	Khadija, <i>al-zinjiya</i> , ex-slave of 'Abdulsalam al-'Ajaili
69	1 <sup>st</sup> Shawwal 1332 (23-August-1914)	Divorce was completed.	<i>khul'</i> case. The wife waived her arrear dower and 'idda alimony and requested for the husband to divorce her. He accepted and divorced her.	Muhammad Tukno, ex-slave of Sidi 'Amura	<i>al-zinjiya</i> Halima bint Salem <i>al-shwshan</i> al-Januriy
70	22 <sup>nd</sup> Shawwal 1332b (13-Sep-1914)	The Judge had decided alimony for the wife and daily child maintenance for the 3 year-old daughter to the amount of 3 <i>qrish</i> .	Alimony evaluation.	Ali <i>al-zinji</i> , ex-slave of al-Blaik	ex-wife was <i>al-zinjiya</i> , Qiru, ex-slave of Hajj al-Kilani al-Ghadamsi
71	29 <sup>th</sup> Shawwal 1332 (20-Sep-1914)	Daily alimony evaluation to the amount of 3 <i>qrish</i> .	Alimony evaluation.	Ali <i>al-Zinji</i> , ex-slave of al-Hajj Ahmad Shu'iyb	The ex-wife was Silimah bint Salim <i>al-shwshan</i>

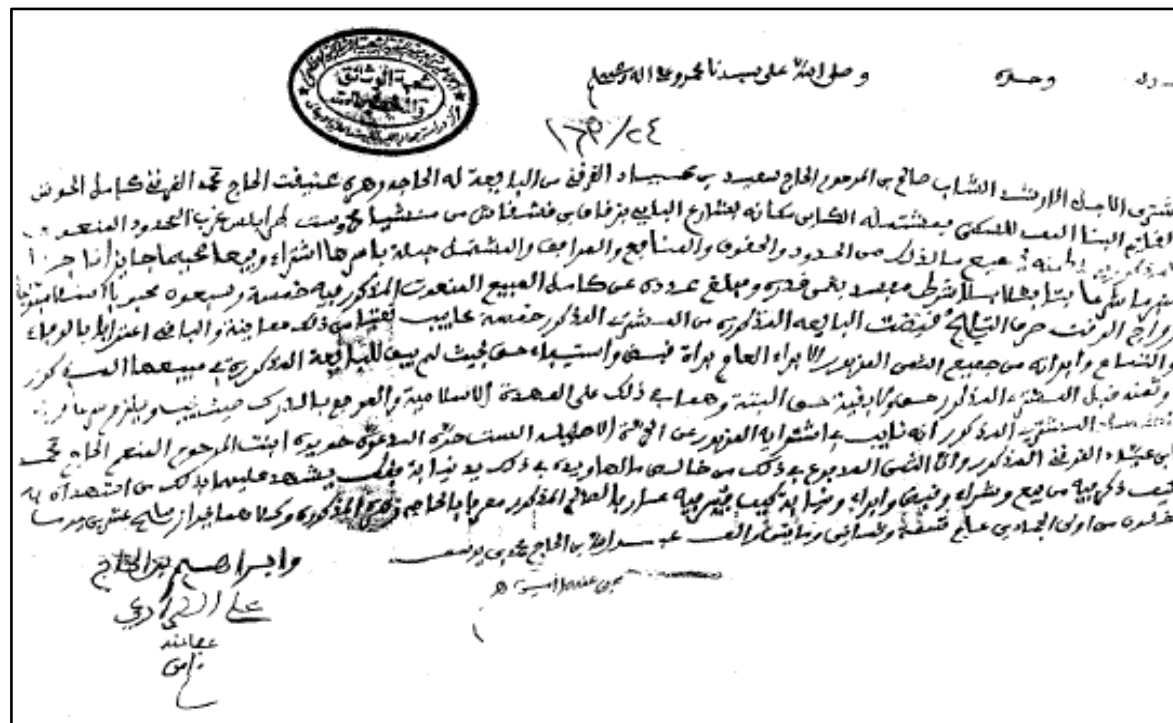
Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
72	No date	Alimony was evaluated for the wife and was daily decided to be <i>riyal</i> until the husband would be able to provide her with a proper residence, along with its necessary equipment.	Alimony evaluation.	The husband was Barka, ex-slave of al-Hajj Muhammad al-Labban (Milkman, the career)	the woman was Mariam bint Sa'd, ex-slave of Muhammad al-Uraifi
73	28 <sup>th</sup> Muharram 1332 (26-Dec-1914)	Proof of divorce	The husband had vowed that his wife would be divorced if she left the house. She did, and therefore became divorced. He recognised her arrear dower which was half ounces of silver and 6 <i>franc</i> every month until she delivered their baby, plus 10 <i>franc</i> for his son 'Abdulsalam. The husband also owed his mother in law (Fatima bint 'Abdullah, emancipated slave of Muhammad al-Khazmi) 7 <i>franc</i> as a loan, plus 4 ounces weight of silver bracelet.	Muhammad al-Tuhami, ex-slave of al-Hajj Erhumah	the wife was Salma bint 'Abdusalam, ex-slave of shaykh Muhammad Bubakir
74	15 <sup>th</sup> Rabi' al-Awwal 1333 (9-July-1914)	The husband accepted to divorce her	The wife had requested <i>khul'</i> divorce from her husband in exchange for conceding her arrear dower and the maintenance of her <i>'idda</i> period.	Mas'ud Naji <i>al-shwshan</i>	Zahra bint 'Abdullah <i>al-shwshan</i>
75	29 <sup>th</sup> Rabi' al-Awwal 1333 (23-July-1914)	The marriage ( <i>nikah</i> ) contract had been signed in 2nd of Sha'ban 1325	The wife had requested for divorce due to the absence of her husband for 4 years in Tunisia. She had no idea of his whereabouts. He left her with no alimony, or representative to pay her maintenance and she was experiencing hardships. She needed the divorce so that she could marry another man by the end of her <i>'idda</i> .	<i>al-zinji</i> , Nasr ibn Muhammad	Zahra bint 'Abdullah al-Sudaniy

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
76	9 <sup>th</sup> Rabi‘ al-Thani 1333 (24Feb-1915)	Alimony Sanction	Alimony evaluation, until the husband provided a proper residence with its necessary equipment.	The husband is Abubakr al-Sudaniy al-Tarqi (the cemetery guardian)	<i>al-zinjiya</i> Mariam bint ‘Abdullah the ex-slave of al-Tahir al-Ghadamsi
77	13 <sup>th</sup> Rabi‘ al-Thani 1333 (27-Feb-1915)	The husband consented to divorce.	The wife acknowledged that she waived her husband of her arrear dower and her ‘ <i>idda</i> Alimony.	Ali ibn Mas‘ud al-Qaddafi al-Werfalli	<i>al-zinjiya</i> Minna bint ‘Ali ibn ‘Umran al-Fezzaniy
78	22 <sup>nd</sup> Rabi‘ al-Thani 1333 (9-March-1915)	The husband consented to a divorce	The wife had acknowledged that she waived her husband off her arrear dower and her ‘ <i>idda</i> Alimony.	<i>al-zinji</i> Muhammad, ex-slave of Farj Ghirbal al-Bu‘aishy	Fatima bint Suliman al-Fezzani
79	10 <sup>th</sup> Jumada al-Awwal 1333 (26-March-1915)	The husband consented to a divorce	The wife acknowledged that she waived her husband off her arrear dower and her ‘ <i>idda</i> alimony.	<i>al-zinji</i> Muhammad Muhammad al-Qammi, (servent, the job)	<i>al-zinjiya</i> Mabruka bint Ahmad the ex-slave of shaykh Muhammad al-Maqtuf al-Zwawi
80	14 <sup>th</sup> Jumada al-Awwal-1333 (30 March-1915)	Divorce case	Divorce through, the husband granted his ex-wife her arrear dower and ‘ <i>idda</i> alimony.	<i>al-zinji</i> Muhammad ibn Rajab Attawerghi (residence of al-Dhahra district)	<i>al-zinjiya</i> Mariam bint Muhammad ex-slave of shaykh Khalil ibn Ghalbun
81	14 <sup>th</sup> Jumada al-Awwal 1333 (30-Mar-1915)	NA	Grandmother’s request for child maintenance evaluation for her grandchildren, Fatima and ‘Iysha, on behalf of her deceased daughter, whose father had disappeared in the town of Zliten, leaving them with no money for living expenses. The grandmother had supported her claim by providing a testimony document endorsed by al- Sharif and provost of the Zawayat al-Dahmani district	The husband of the deceased daughter was Ammar ibn Mansour al-Zlitniy	The custodial grandmother Halima bint Ali Hussin, the mother of the deceased wife ‘Iysha bint Khalifa <i>al-shwshan</i>

Divorce, Maintenance and Alimony					
No	Date	Notes	Case	Name of Husband	Name of Wife
82	22 <sup>nd</sup> Jumada al-Awwal 1333 (7 April-1915)	NA	The wife waived her husband off her arrear dower and her 'Idda alimony. He consented to the divorce.	The husband was <i>al-zinji</i> Farag ibn Zydan ibn Salam al-'Zabiy	<i>al-zinjiya</i> Raj'ah bint Mas'ud the ex-slave of Ali Limrayid
83	26 <sup>th</sup> Jumada al-Awwal 1333 (11 April-1915)	After listening to witnesses' testimony, the Judge had granted divorce in absentia, so the wife became free of the <i>nikah</i> (marriage) commitment due to poverty, need and damage.	Divorce request due to husband's absence for 5 years in Tunisia, leaving the wife with no maintenance or money to cover for her living expenses. She had requested for a divorce so that she could get married to another man ,testimony of three freed slaves from al-Dahra residents)		<i>al-zinjiya</i> Minna bint Sa'd the ex-slave of al-Hajj Muhammad Fellah
84	15 <sup>th</sup> Shawwal 1333 (26-August-1915)	NA	The husband's claim against his wife whom he had married in al-Zawiya al-Gharbiya for 7 months, but she ran away to Tripoli. The husband had requested for his wife to come back home and live with him	Al-Mukaram Mas'ud, ex-slave of al-Khwildiy	Mas'uda bint al-Nayliy

## Appendix 4

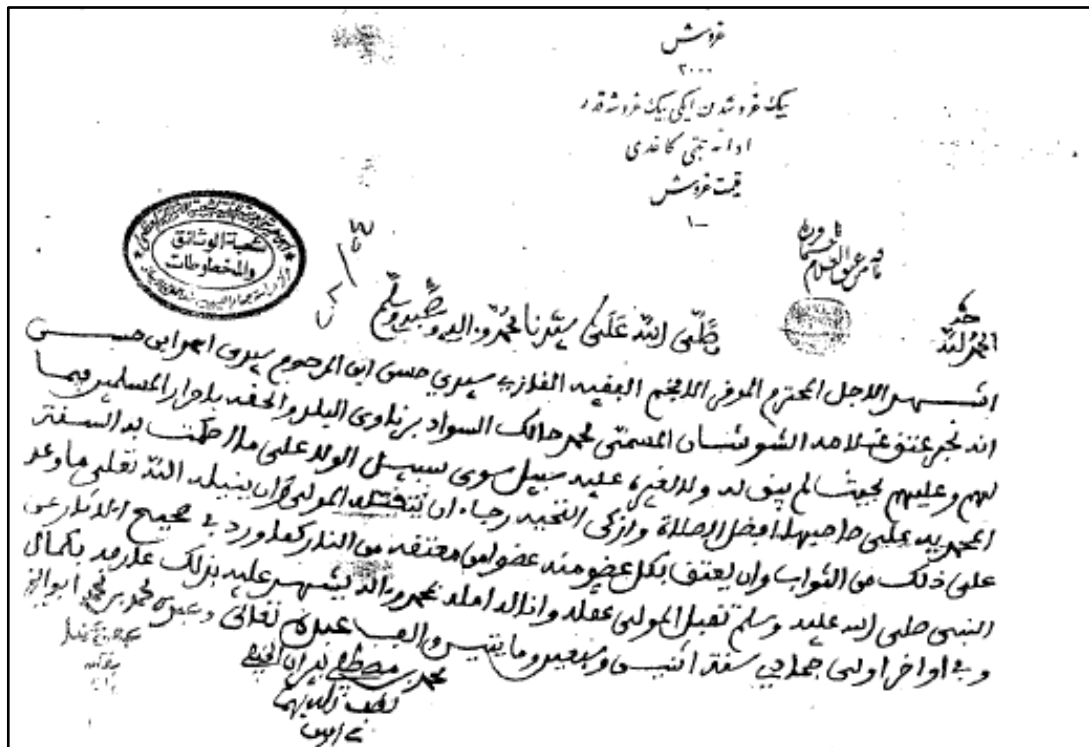
A document of a house purchase in Tripoli, dated 20-Jumada Al-Awwal-1289 (26-July-1872), by the buyer al-Hajj Sa‘id ibn ‘Iyad al-Qarqniy (a free-born man) from the seller al-Hajja Zahra, the freed women of al-Hajj Muhammad al-Qarqniy.



Source: MLMDT (T), QWA, *Milfat al-Tijara* [Files of Trade], file. No.24, doc. 163.

## Appendix 5

A piety emancipation document of a male slave called Muhammad freed on 30-Jumada Al-Awwal-1272 (7-February-1856).



Source: MLMDT (T), QWA, *Milfat al-Tijara* [Files of Trade], file. No. 28, doc. 54.

## Appendix 6

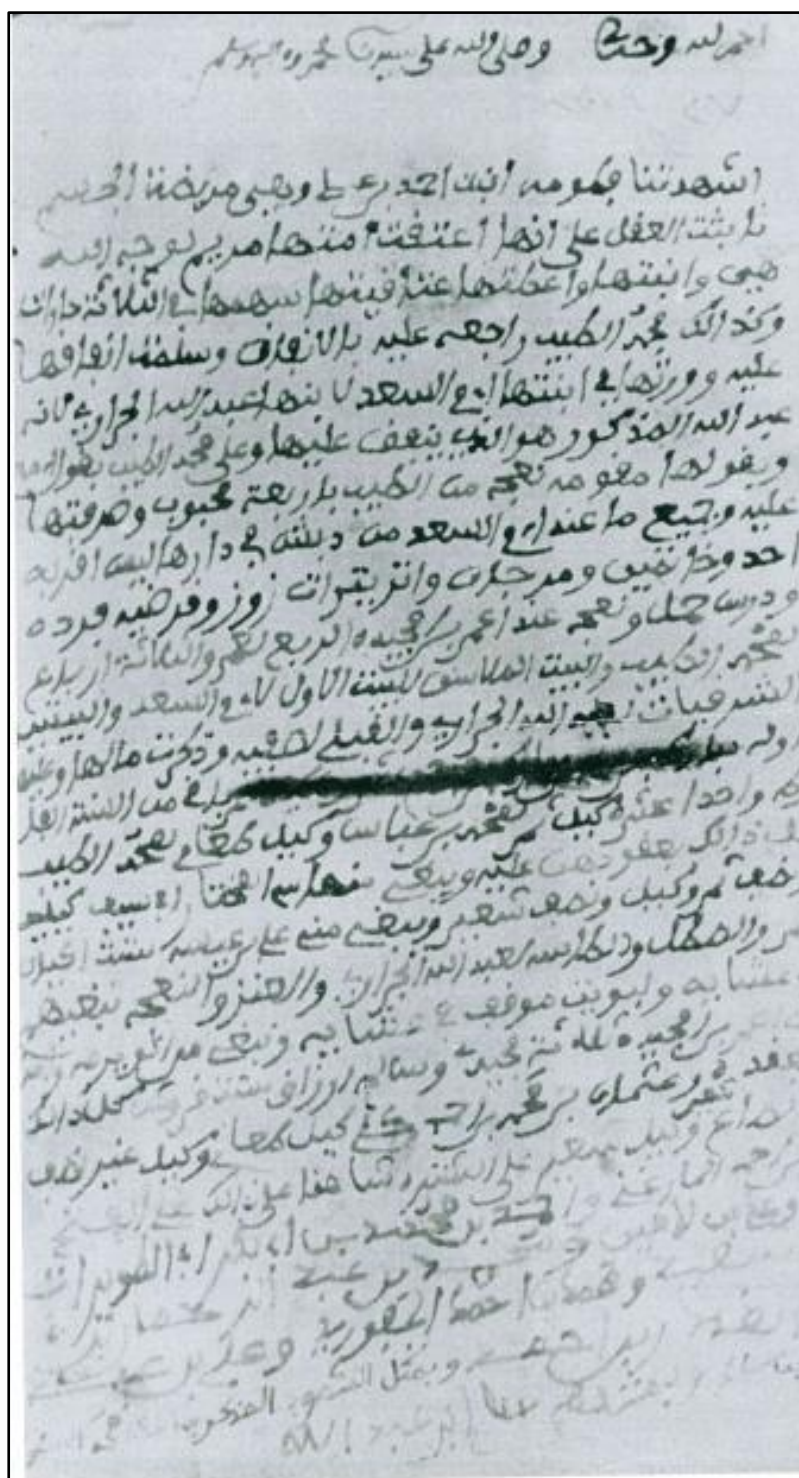
Undated commercial correspondence considering slave marketing between Muhammad ibn 'Amar al-Ghati and Muhammad Hyad ibn al-Hajj Ahmad Hyda and his son 'Umar ibn al-Hajj Muhammad Hyda.

الجمعة ليلة وحده شمع العلالة والسلام على رسول الله  
 الصبرات من عند محمد بن عمار بن ابي بكر الغاتي وابنه عمار  
 الى العثم محبنا في الله ورسوله واعز الناس عندهم محمد حيد  
 ورحمت الله ومعه ابركاته بدر صلاته اليه والى سلام عليه  
 وعن احوال الله بكما الى جعلنا وابداك في ساعة مباركة  
 وانه اطلع اليوم فمنا الحبيب وعيمه ط وعلواك في جميع  
 الحيات كتمنا لك معهم وفي الاصولك التي خلف لنا  
 واما عشرة قول وعدل غريبا للتوارف الي ابر على سفي تقاينة  
 ريكنت للفتنار ووصيت اعداج بشتير والاعاج اجد بن حيد الله يكرهوا لا  
 ما بقى لك عندهم من غير ستة بلود اصغر اعطا هم لنا د امر كيا صاوي  
 بعدا لهم الا لا تشبهك سبعة ريكنت دور ونفبر على امر العبيد  
 نفس يا سر على قبل واليوم عندهم لا اراهم الا من عتير بن ابي  
 ما القيت من بضا ومهم لا يا ليل ولا يا ليل ولا يا ليل ولا يا ليل  
 اربنا اجد من بضا ومهم لا يا ليل ولا يا ليل ولا يا ليل ولا يا ليل  
 اجد بن العاج محمد عليم را ما منيظا في الكتيبر و ١٢٥٠ ابر بن الناس  
 في ١٥ هذا ما كتب لنا في علة امسا واما امسا واما امسا  
 اول امسا وحيوا ابانته تراه مع هذك الجواب ووطنك جيل يا علة امسا  
 وبعنا كرا ٥ واحث ١٥ لفة امسا واطلنته حول السواد  
 كرا العيت الشري نكره ١٥ لفة امسا واطلنته حول السواد  
 الذي وطلت لنا ما وطلت منكم كرا لفة امسا واطلنته حول السواد  
 واطلنته حول السواد واطلنته حول السواد واطلنته حول السواد  
 من سلة عن عياتك واما امسا واطلنته حول السواد واطلنته حول السواد

Source: MLMDT (G), Collection of Hyda Family, doc. no.14.

## Appendix 7

Undated emancipation document of a mother and daughter upon the death of their master.



Source: one of the interviewee from Fezzan.