

**'Non-Interference, Square Deals and Genuine Protection': British Intervention and the Trucial
System, c. 1798-1876**

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The candidate confirms that the work submitted is his own and that appropriate credit has been given where reference has been made to the work of others.

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‘Traveling – it leaves you speechless, then turns you into a storyteller.’

- Ibn Battuta

I can still remember becoming enamoured with the local culture and history of the Persian Gulf from my first visit to the United Arab Emirates in 2010, little could I have imagined where it would take me. From the Ibn Battuta mall in Dubai to the port of Muscat and the date palms of the Nizwa fort, these are memories which will always live with me.

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Abstract

Between 1820-1892, Britain's interest in the Persian Gulf gradually expanded through a series of bilateral and multilateral treaties with the rulers of Oman, Bahrain and the emirates of the modern-day United Arab Emirates. These agreements identified the dual maritime irregularities of 'piracy' and slave trafficking as targets for eradication. This allowed officials in Bushire and Bombay to imagine themselves as the head of a humanitarian naval confederacy, whose justification was constructed around a new normative order, which measured itself against these inimical illegalities. To accomplish this, British officials constructed a 'legal space' to regulate the waters of the Persian Gulf and the Gulf of Oman through a gradual process of Trucialisation. The Trucial system was the result of a complex series of interrelations which shaped the construction of this legal space. These interrelations were expressed through a vast imperial network which included multiple trajectories, including London, India, Trucial Arabia and East Africa. This was a space informed not only by the forces of British imperialism but also by the survival strategies and networks of resistance that indigenous actors developed to navigate imperial structures. Through a study of British interventions against maritime violence and slave trafficking, it is possible to explore how the Trucial system was the result of a series of compromises between multiple stakeholders with varying priorities. By utilising a spatial framework, this thesis will resist binary analyses of British imperialism to examine the various factors which informed the structure of the Trucial system and the character of British imperialism in Trucial Arabia.

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Abbreviations

BFASS – British and Foreign Anti-Slavery Society

CIZ – Consul in Zanzibar

E.I.C. – East India Company

GIB – Governor in Bombay

PRPG – Political Resident in the Persian Gulf

1.0 - Introduction

Writing in 1939, the Political Resident in the Persian Gulf (PRPG) remarked Britain had achieved supremacy in the Persian Gulf through ‘non-interference, square deals and genuine protection.’¹

This view was broadly reflective of twentieth-century British conceptions of their record as the benevolent head of a naval confederacy, which respected the region’s independence. The ‘square deals’ to which he was referring were developed during the nineteenth century under the Trucial system – a network of bilateral and multilateral treaties with various rulers whose power was centred along the coast of Eastern Arabia. Beginning with the General Treaty (1820), Britain gradually assumed a preeminent role, culminating in the Exclusive Agreements (1892), where they assumed responsibility for the foreign affairs of the signatories. These arrangements represented the apex of what Martin Ledstrup describes as the ‘process of cumulative trucialisation’ that oversaw the signatories’ transition from autonomous actors to subordinated protectorates.²

Indirect rule was the culmination of this process, constructed around a series of incremental provisions and obligations through a targeted response to the ‘problems’ of maritime violence and slave trafficking. These were the two interconnected logics underpinning the Trucial system, informing Britain’s official justification for their presence through their role as maritime peacekeepers. Through a study of British interventions against maritime violence and slave trafficking, this thesis will examine three questions. Firstly, it will establish how suppression of maritime violence and slave trafficking became interconnected as underpinning logics of the Trucial system and how this contributed to an artificial division between domestic and maritime spheres. Secondly, it will demonstrate how interrelations between multiple trajectories within an imperial network informed the construction of the Trucial system and how compromises between various

¹ Cited in Peter Mangold, *What Britain Did: Two Centuries in the Middle East*, (New York: I.B. Tauris, 2016), p. 158.

² Martin Ledstrup, *Nationalism and Nationhood in the United Arab Emirates*, (Switzerland: Palgrave Macmillan, 2019), p. 12.

stakeholders were articulated through its provisions. Thirdly, it will examine how the protection and expansion of British paramountcy in the Persian Gulf were the central motivations guiding decisions making and how this undermined the effectiveness of the Trucial system.

Under the Trucial system, suppression of maritime violence and slave trafficking was informed by interrelations between multiple trajectories within the imperial network connecting stakeholders in London, India, Arabia and East Africa. This was a structure through which compromises between the priorities of various stakeholders were articulated around the establishment of a legal space dedicated to the suppression of maritime violence and slave trafficking. To accomplish this, Britain constructed a normative order that rendered each of these inimical to the interests of all parties to justify the establishment of British paramountcy in the Persian Gulf. Trucialisation was the process through which British paramountcy could be prioritised, whilst ostensibly pursuing the humanitarian commitments used to justify their role as peacekeepers. By examining British imperialism through the lens of interventions against maritime violence and slave trafficking, this thesis will examine how these interrelations informed the construction of the Trucial system.

The traditional historiographical discourse surrounding British imperialism in the Persian Gulf was largely divided around whether their 'moment in the Middle East' was an imposition or not. Initial challenges to the existing orthodoxy produced a useful critical analysis of assessments, which reproduced self-congratulatory imperial rhetoric and conceptualised Britain's record as a benevolent endeavour. However, oversimplification of the relationship between Britain and the indigenous rulers of the Persian Gulf into binaries of *oppressed vs oppressors* failed to capture the complex interrelations involved in the construction of British imperialism. Similar problems existed within imperial historiography through the binary of *metropole vs colony*. Early theories oscillated around determining which site contributed to the production of an 'official mind' that guided imperial policy. By studying the Trucial system as a space produced by multiple stakeholders, expressed through the trajectories of an imperial network, this thesis will move away from the restrictive

boundaries of binary analysis. Examining how their interrelations informed the construction of the Trucial system will help us understand how British imperialism operated within the Persian Gulf.

This study will also bridge the gaps between components of imperial and Persian Gulf historiography. Although 'piracy' and slave trafficking were interconnected through their identification as naval irregularities worthy of eradication by a maritime peacekeeper, they have remained largely disconnected within Gulf historiography. This thesis will explore them side by side through a study of the Trucial system, designed to facilitate their suppression, while simultaneously justifying Britain's regional presence. Similarly, historians of British imperialism have largely viewed the signatories as components with wider histories, such as British India or the British Middle East, or subsumed them within generalised theories of the nature of a 'periphery.' By examining the Persian Gulf through the lens of British interventions against 'piracy' and slave trafficking, this thesis will contribute to existing theories deconstructing the nature of imperialism by integrating regionally specific variables that shaped Pax Britannica. This will allow us to draw existing studies of Gulf 'piracy' and slavery into the broader history of British imperialism by combining these hitherto disconnected discourses.

1.1 - Britain and the Trucial System

The Trucial system was a network of bilateral and multilateral agreements established through Britain's interaction with Eastern Arabia during the nineteenth century. The signatories were the sheikhs of the lower Gulf littoral between the Musandam Peninsula and Bahrain, but they also concluded similar agreements with the Al Bu Said of Oman. For this study, *Trucial Arabia* collectively refers to the signatories who occupied the coastline between Al Qatif in modern-day Saudi Arabia to the northwest of Bahrain, and Masirah Island in the Arabian Sea off the coast of modern-day Oman

(See Map 1.0). This study will also include their relations with Qajar Persia, the Ottoman Empire and the Emirate of Nejd – colloquially referred to as the Wahhabis or Saudi-Wahhabi state. Under the Trucial system, Britain artificially divided the region into ‘domestic’ and ‘maritime’ spheres. British India’s official policy of non-intervention strictly limited interference in the ‘domestic’ sphere – at least in theory, if not in practice. Elsewhere, the Trucial system created a normative order in the ‘maritime’ sphere, which designated ‘piracy’ and slave trafficking as inimical to the tranquillity and commerce of the Persian Gulf.

Map 1.0 – Major Settlements of Trucial Arabia, 1820-1892



The identification of ‘piracy’ and slave trafficking as dual problems worthy of eradication informed and justified Britain’s conceptualisation of its regional role as a maritime peacekeeper. ‘Piracy’ and slave trafficking were intimately linked through their designation as maritime irregularities and the legal reclassification of the slave trade as piracy under the General Treaty (1820).³ British officials regarded ‘legitimate commerce’ as a natural corollary of their suppression and a remedy to their ‘predatory habits’ which were considered ‘so deeply rooted that nothing but the strong hand of

³ Charles Umpherston Aitchison, *A Collection of Treaties, Engagements, and Sunnuds, Relating to India and Neighbouring Countries*, 7 (Calcutta: Foreign Office Press, 1865), pp. 59-63. See Appendix - The General Treaty for the Cessation of Plunder and Piracy by Land and Sea, 5th February 1820.

power will keep them down.⁴ This allowed them to conceive of themselves as essential to regional stability by arguing that if they did not 'show the flag,' the Gulf would 'soon become a sea of blood and plunder.'⁵ Elimination of both 'piracy' and slave trafficking was linked to Britain's *raison d'être* in the Persian Gulf. In return for abandoning their 'predatory habits,' Trucial Arabs would be 'rewarded' with stability and prosperity under the paternalistic gaze of British cruisers.

The Trucial system began with the General Treaty, which obligated the signatories – designated as 'Friendly Arabs' - to abstain from 'plunder and piracy,' including the 'carrying off of slaves.' From here, they developed a series of bilateral and multilateral treaties along two branches designed to regulate maritime activities and suppress 'piracy' and slave trafficking. To tackle 'piracy' they initially developed a series of annual seasonal truces beginning in 1835, which were designed to prohibit violence during the pearling season. These were repeatedly renewed, becoming a year-round agreement from 1838, a ten-year agreement from 1843 and eventually a Perpetual Truce (1853). This was eventually extended to include Bahrain under the Friendly Convention (1861). The first anti-slave trafficking treaty was the Moresby Treaty (1822), which prohibited the sale of slaves to Europeans, and restricted traffic to an 'internal space' connecting East Africa and the Middle East. This was followed by the Articles of Agreement (1838), which banned the purchase of Somalis. The Trucial slave trade was officially prohibited under the Hamerton Treaty (1845) and Treaties of Engagement (1847), although it remained legal off the coast of Zanzibar until the Treaty for the Abolition of the Slave Trade (1873). The process of Trucialisation was finally completed under the Exclusive Agreements, which reduced the signatories to protectorates whose foreign policy was governed by the British.

To analyse how the Trucial system was constructed, this thesis will utilise a spatial approach. The process of Trucialisation created a regulated space, defined by the establishment of a new

⁴ Cited in John Gordon Lorimer, *Gazetteer of the Persian Gulf, 'Omān, and Central Arabia: Historical*, 2 vols (Calcutta: Superintendent Government Printing, 1915), p. 659.

⁵ Captain Phillip Howard Colomb, *Slave-Catching in the Indian Ocean* (London: Longmans, 1873), p. 133.

normative order that identified maritime irregularities for eradication. This was occupied by multiple stakeholders whose trajectories were interconnected through an imperial network. The Trucial system was the product of these interrelations, which informed the character and structure of British imperialism in Trucial Arabia. Guillemette Crouzet describes the Trucial system as a 'legal space' that was 'constructed and governed through treaty alliances and maritime patrols.' Within this space, she argues that 'imperialism, abolitionism and the birth of maritime law' met in the Persian Gulf to create a 'centre of calculation' against the slave trade – and maritime violence – resulting in 'the creation of a British Lake.'⁶ Crouzet's observations drew on recent work in historical geography by David Lambert and Alan Lester, who utilised spatial concepts combined with a networked approach to examine British imperialism.⁷

These models were inspired by social scientists and geographers like Doreen Massey, who Lester credits for his conceptualisation of imperial space as a 'sphere of a multiplicity of trajectories' shaped by 'specific colonial or anticolonial projects' through imperial networks.⁸ According to Massey, space was traditionally used to imagine 'other places, peoples [and] cultures simply as phenomena' on a surface constructed by Europeans. Here indigenous societies were immobilised as they waited for the arrival of Europeans, ignoring the histories they had lived and produced. This process did not consider that they had 'their own trajectories, their own particular histories, and the potential for their own, perhaps different, futures.' They were not 'coeval' others, but instead existed at an 'earlier stage in the one and only narrative it is possible to tell.'⁹ This conception of space reflected the imperialist 'civilising mission' which utilised a stadial model of human

⁶ Guillemette Crouzet, 'A Slave Trade Jurisdiction': Attempts against the slave trade and the making of a space of law (Arabo-Persian Gulf, Indian Ocean, Red Sea, circa 1820-1900)', in *Legal Histories of the British Empire: Laws, Engagements and Legacies*, ed. by Shaunnagh Dorsett and John McLaren (Abingdon: Routledge, 2014), pp. 234-49 (pp. 234-35).

⁷ David Lambert and Alan Lester, 'Introduction: Imperial Spaces, Imperial Subjects', in *Colonial Lives Across the British Empire: Imperial Careering in the Long Nineteenth Century*, ed. by David Lambert and Alan Lester (Cambridge: Cambridge University Press, 2006), pp. 1-31.

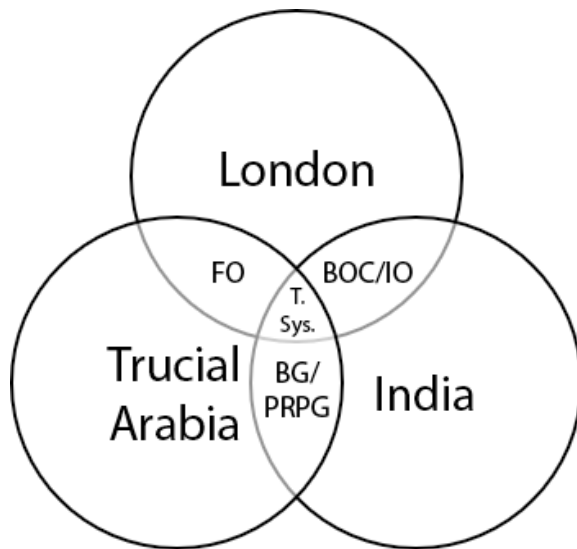
⁸ Alan Lester, 'Imperial Circuits and Networks: Geographies of the British Empire', *History Compass*, 4:1 (2006), pp. 124-41 (p. 135).

⁹ Doreen Massey, *For Space* (London: SAGE, 2005), pp. 4-6.

development measuring indigenous societies against Eurocentric models of progress. In challenging these assumptions, Massey offers three propositions that provide a useful framework for our examination of the construction of the Trucial system:

First, that space is a product of interrelations 'constituted through interactions.' The Trucial system was constructed around interactions between various nodes within an imperial network (see Diagram 1.0). These included London, India, Trucial Arabia and East Africa, where further sub-nodes existed, such as Bombay and Calcutta in India, Zanzibar and the Mascarenes in East Africa, and the numerous polities of the Trucial Arabian coastline. The Trucial system was a space produced by numerous interrelations that interacted in various ways and at different times. The General Treaty, for example, was the product of interactions between London, India, Oman and the Qawasim. It was Britain's relationship with Oman that placed them at odds with the Qawasim after India sought regional allies to counteract French penetrations of the subcontinent's periphery. The provisions reflected their desire to construct a *cordon sanitaire* around India, while also providing an opportunity for officials in London to expand their treaty network against the slave trade and set a precedent for its re-definition as piracy. It was a product of pre-existing Omani-Qasimi animosities, Anglo-Omani foreign policy under the Treaty of Friendship and London's humanitarian foreign policy program. The entire Trucial system was intimately informed and produced by these interactions between various interrelations over seventy-two years.

Illustration 1.0: The Trucial System as a product of interrelations between London, India and Trucial Arabia.



Key - **BG**: Governor in Bombay, **PRPG**: Political Resident in the Persian Gulf, **FO**: Foreign Officer, **BOC/IO**: Board of Control/India Office.

Second, that space is the product of multiplicity where distinct trajectories coexist. If space is produced through interrelations, its existence relies on plurality, not singularity. Although the precise number may vary depending on evolving variables, more than one trajectory always shapes it. Even within asymmetrical relationships, subordinates inform the structures of spaces, either by how they *inform* what is done to them or how they *resist* what is done to them. The Trucial system was based on a necessity to find solutions to problems that emerged through interactions between different stakeholders with competing goals and ambitions. It was designed to manage these trajectories by articulating compromises between the priorities of various stakeholders within the imperial network. As Britain's treaty networks were predicated on a legal positivist interpretation of international law, the consent of each party was crucial to any concession. The Maritime Truces, for example, were informed by Britain's desire to regulate 'lawful warfare' and Trucial Arabian socio-political traditions of protection seeking. These were a response to escalating conflicts between the Trucial rulers of the lower Gulf littoral, which were expressed through maritime violence. In

exchange for the observation of a temporary cessation of maritime violence during the pearling season (later made permanent), the British agreed to assume responsibility for enforcing the peace.

Third, that space is always under construction, 'it is never finished; never closed.' Under the Trucial system, each signatory's relationship with Britain differed over time. Obligations that bound some did not necessarily bind others, while the provisions themselves would also evolve. Trucialisation was not a linear process. Although it sought to establish a universal rejection of maritime violence and slave trafficking, the path each signatory took depended on its circumstances. Oman, for example, retained greater reciprocity in their agreements with the British than those who were party to the General Treaty. Yet, when Oman was obligated to limit their 'internal' slave trade to strict boundaries under the Moresby Treaty, no such limitation existed for the other Trucial rulers. Deviations also existed within the signatories of the General Treaty, as Bahrain rejected British advances to become a signatory of the Maritime Truces. The precise jurisdictional terms and boundaries of Britain's legal space were under constant evaluation. Each signatory's transition to a protectorate under the Exclusive Agreements was different, informed by their interrelations with the British. The Trucial system was constantly revised, as deficient provisions, jurisdictional loopholes and evolving political priorities ensured relationships were regularly re-evaluated.

Utilising a spatial approach by conceptualising the Trucial system as a 'legal space', this thesis will examine how multiple trajectories coalesced to shape its provisions and limitations. This was a space shaped by conflict and collaboration between multiple stakeholders, each with complex vested interests and ambitions, both within and without British administrative structures. It was as much the result of a conflict between the doctrines of 'new imperialism' and 'masterly inactivity' in Bombay and Calcutta, as it was the triangular collaboration between Bushire, their native agents and the Trucial rulers. Conceiving of Trucialisation as something which was imposed upon the signatories by a rational 'official mind' oversimplifies Britain's complex relationship with the region. Studying the Trucial system as the product of multiple stakeholders' visions through which various interrelations

were articulated will help us better understand how British imperialism operated in the region. This will allow us to move away from restrictive analytical binaries, such as metropole vs colony and oppressed vs oppressor, broadening our study of the multitude of forces that helped shape British imperialism in Trucial Arabia.

To effectively use this approach, we must not lose sight of the central logic which informed British decision-making: British paramountcy. Their response to the 'problems' of 'piracy' and slave trafficking, initially viewed as a limited act of self-defence, was presented by their successors 'in a grander and less compromising fashion as an example of paternalistic altruism.'¹⁰ Yet, their overarching priority was always the protection and expansion of British paramountcy. The suppression of maritime violence and slave trafficking was secondary to these interests. Although British officials cited their respect for Trucial Arabian sovereignty as a justification for their official policy of non-interference in internal affairs, this was largely self-serving. Britain's reluctance to interfere in the institution of slavery was mostly informed by anxieties surrounding a potential backlash to prohibition and disruption of the local economy.

Whilst the Trucial system represented a legal recognition of each party's sovereignty, the extent to which this was respected or extended to non-Europeans was complex. State sovereignty in Europe was regarded as 'fixed, stable and monolithic,' but colonial jurists grasped the usefulness of keeping non-European sovereignty undefined so it could be 'extended or withdrawn according to the requirements of [imperial] interests.'¹¹ Whilst the priorities of the signatories did inform the provisions of the Trucial system, they were always measured against calculations of political pragmatism. Calculated absences and gradual extensions of support were designed to slowly increase the signatory's dependence on British support through minor concessions.

¹⁰ Davies, Charles E. Davies, *The Blood-Red Arab Flag: An Investigation into Qasimi Piracy 1797-1820* (Exeter: University of Exeter Press, 1997), p. 9.

¹¹ Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge: Cambridge University Press, 2005), p. 89.

Whenever the British broke convention, they ensured newly acquired obligations were limited in scope. For example, although they agreed to act as mediators under the Maritime Truces, this was strictly limited to disputes within the Restrictive Line and excluded protection from external aggressions. Extensions of aid during internal disputes were normally temporary and only enough to maintain receptive partners without allowing them to establish enough power to rule effectively without support. When major deviations did occur, they were motivated by the potential to expand British influence. The division of Oman and Zanzibar under the Canning award was designed to increase rulers' dependence by dividing their administrations and weakening their capacity to resist British requests. The asymmetrical relationships enshrined under the Exclusive Agreements at the climax of Trucialisation were developed through a calculated deployment and withdrawal of non-intervention.

1.2 - Historiography: Trucial Arabian 'Piracy' and Slavery

Trucialisation created a new normative order built around British legal understandings and value judgements. This was a form of what Turan Kayaoğlu and John Schmidhauser describe as 'legal imperialism.' Kayaoğlu defines this as the 'extension of a state's legal authority into another state and limitation of legal authority over issues that may affect people, commercial interests, and security of the imperial state.'¹² He argues this allowed the British to construct international legal structures and processes to deal with the problems created through the colonial encounter.¹³ The Trucial system was designed to deal with the 'problem' of 'piracy' and slave trafficking by protecting local commercial interests and the security of a vital artery of communication between London and

¹² Turan Kayaoğlu, *Legal Imperialism: Sovereignty and Extraterritoriality in Japan, the Ottoman Empire, and China* (New York: Cambridge University Press, 2010), p. 6.

¹³ *Ibid*, p. 19.

India. According to Schmidhauser, Europeans imposed law where 'civil stability and order were at stake,' economic penetration 'was at issue' and where their authority and power 'might be threatened by the invocation' of indigenous customs, laws and traditions.¹⁴

Legal theorists would make explicit value judgements through an emphasis on real or purported evidence that supported notions of national or racial ascendancy. Law was viewed as a determinant that distinguished between 'progressive and stationary societies' described in demeaning terms.¹⁵ By rendering 'piracy' and slave trafficking illegal, British observers conferred value judgements on anyone who they accused of participating in either of them. The concept of 'piracy' emerged from relationships between 'those who name and those who are named.' As Patricia Risso notes, the label 'pirate' is a 'construction of someone's views and the corollary of this is that others, not least themselves, might not have thought about them in the same light.'¹⁶ Samuel Coleridge famously remarked 'no man is a pirate, unless his contemporaries agree to call him so.'¹⁷

As Simon Layton argues, rather than being a 'neutral descriptor of historical phenomena, piracy's prevalence in colonial archives reveals much about how the protagonists of empire framed the logic of conquests.' By arguing for and against different kinds of maritime violence, they 'discursively produced a spectrum of legitimacy that rationalised British violence' whilst condemning others.¹⁸ Yet, as Sebastien R. Prange notes, the claim that 'Asian sea raiders operated autonomous of political authority is highly questionable.' The Indian Ocean (and Persian Gulf) was a politicised space 'long before the arrival of Vasco da Gama' which was a theatre of political theatre and competition.

¹⁴ John R. Schmidhauser, 'Legal Imperialism: Its Enduring Impact on Colonial and Post-Colonial Judicial Systems', *International Political Science Review*, 13:3 (1992), 321-34 (p. 328).

¹⁵ John R. Schmidhauser, 'Power, Legal Imperialism, and Dependency', *Law & Society Review*, 23:5 (1989), 857-78 (p. 860).

¹⁶ Hideaki Suzuki, 'The Making of the Joasmee Pirates: A Relativist Reconsideration of the Qawasimi Pirates in the Persian Gulf', in *In the Name of the Battle against Piracy: Ideas and Practices in State Monopoly of Maritime Violence in Europe and Asia in the Period of Transition*, ed. by Ota Atushi (Leiden: Brill, 2018), pp. 69-96 (p. 69).

¹⁷ Samuel Taylor Coleridge, *Table Talk of Samuel Taylor Coleridge* (London: George Routledge, 1884), p. 146.

¹⁸ Simon Layton, 'The "Moghul's Admiral": Angrian "Piracy" and the Rise of British Bombay', *Journal of Early Modern History*, 17 (2013), 75-96 (pp. 75-76).

Historians, he argues, have tended to 'situate the actions of European marauders' in the context of their nation's respective imperial projects as privateers, while the 'same actions committed by Asian seamen are decried as piracy.'¹⁹

When they were confronted with what Stefan Eklöf Amirell calls the 'spectre of maritime violence in nineteenth-century Southeast Asia.' European observers influenced a 'piratical paradigm', which led to 'new understandings of piracy and maritime violence linked to maritime commerce, territorial expansion, military power, maritime jurisdiction, race, religion, civilisation and human rights.'²⁰ In this context, far from being a neutral term, Prange and Robert J. Antony conclude that 'piracy actually reveals much about how European empire-builders framed their argument of conquest.' British officials 'perceived and portrayed themselves as the only power entitled to and capable of exercising legitimate sovereignty at sea' and 'any other pretenders in the market for maritime violence and protected were barred, criminalised, and persecuted into subordination.'²¹

British interpretations were also the result of a 'cross-cultural misunderstanding.' No Arabic word existed that conveyed a similar legal connotation to what the English understood as piracy. The closest approximation to what Europeans widely recognised as 'privateering' involves references to plunder in the context of *jihad*.²² The term 'piracy' is dangerous because it risks perpetuating imperial stereotypes and value judgements. As Amy G. Remensnyder notes, there is 'much debate over the appropriate terminology for violent men of the sea.'²³ Therefore, this study will utilise the

¹⁹ Sebastian R. Prange, 'The Contest Sea: Regimes of Maritime Violence in the Pre-Modern Indian Ocean', *Journal of Early Modern History*, 17 (2013), 9-33 (p. 11).

²⁰ Stefan Eklöf Amirell, *Pirates of Empire: Colonisation and Maritime Violence in Southeast Asia* (Cambridge: Cambridge University Press, 2019), p. 35.

²¹ Sebastian R. Prange and Robert J. Antony, 'Piracy in Asian Waters Part 2: Piracy, Sovereignty, and the Early Modern Asian State – An Introduction', *Journal of Early Modern History*, 17 (2013), 1-7 (p. 6).

²² Patricia Risso, 'Cross-Cultural Perceptions of Piracy: Maritime Violence in the Western Indian Ocean and Persian Gulf Region during a Long Eighteenth Century', *Journal of World History*, 12:2 (2001), 293-319 (p. 296-301).

²³ See FN3 in Amy G. Remensnyder, 'Compassion, Fear, Fugitive Slaves, and a Pirates' Shrine: Lampedusa, ca. 1550-ca. 1750', in *Mapping Pre-Modern Sicily: Maritime Violence, Cultural Exchange, and Imagination in the Mediterranean, 800-1700*, ed. by Emily Sohmer Tai and Kathryn L. Reyerson (London: Palgrave Macmillan, 2022), pp. 149-72 (p. 150).

neutral terminology 'maritime violence' advanced by historians such as Prange, Antony, Layton, and Amirell, as opposed to that of 'piracy' advanced by imperial agents. Maritime violence provides a neutral definition, which recognises the signatory's participation in a legitimate political space, where violence was often attached to economic and political competition between rulers and states. It also more accurately reflects the provisions of the Trucial system. Although it was designed to eradicate 'piracy,' under the terms of the Maritime Truces, all forms of maritime violence, including 'lawful warfare,' were eventually prohibited.

Most existing studies of maritime violence in the Persian Gulf have focused on the conflict between the British and the Qawasim of Ras al-Khaimah and Sharjah. Khaldoun Al-Naqeeb, Jacqueline Ismael and Shaikh Sultan bin Muhammad Al-Qasimi all contested the misuse of the term 'piracy.'²⁴

According to Al-Qasimi, his ancestors were 'normal people with normal human ambitions' and the only 'abnormal factor was the introduction of a foreign people whose aim was to dominate and exploit.' The British 'knew very well... that the indigenous people of the Gulf were only interested in the peaceful pursuits of pearl diving and trade.' He concludes that contemporary observers and early historiographical accounts 'want us to believe that the Arabs of the Gulf were saved... by the benevolent efforts of [Britain], whose intervention... was for the sole purpose of preserving law and order... [and] was a responsibility thrust upon the British almost against their will.'²⁵

Whilst Risso disagrees that the British unfairly blamed the Qawasim, she has argued that a broader Wahhabi-Qasimi threat informed Bombay's perceptions. It was for rhetorical purposes that the British wished to identify a 'single source of maritime malfeasance' against which they could afford to expend their resources in defence of their allies.²⁶ James Onley believes the British viewed the

²⁴ Khaldoun Al-Naqeeb, *Society and State in the Gulf and Arabian Peninsula: A Different Perspective* (New York: Routledge, 1990), Jacqueline Ismael, *Kwait: Dependency and Class in a Rentier State* (Gainesville: University of Florida Press, 1993) and Abdullah Taryam, *The Establishment of the United Arab Emirates, 1950–85*, (London: Croom Helm, 1987) Sultan bin Muhammad Al-Qasimi, *The Myth of Arab Piracy in the Gulf* (London: Routledge, 1986).

²⁵ Al-Qasimi, *The Myth of Arab Piracy*, p. 2.

²⁶ Risso, 'Cross-Cultural Perceptions of Piracy', p. 314.

imposition of tolls in the Strait of Hormuz as extortion and the growing raids against mercantile shipping as piracy.²⁷ According to Charles Davies, what made these events significant was that the Trucial system was 'generated, shaped and in Britain's view even necessitated' by their experience associated with 'piracy by the Qawasim.' Whilst the episode left behind a complex legacy of 'mutual discovery, of first experience and great trauma,' these studies cut a largely solitary figure.²⁸

Although studies of individual episodes of later violence exist – largely within the context of studies of the history of specific countries – only John Barrett Kelly has examined this period alongside later attempts to suppress maritime violence within the context of a broader examination of Britain's regional history. Yet, as Davies observes, the General Treaty (1820) was not a definitive endpoint. By the 1830s, India was forced to contend with an outbreak of maritime violence between the Bani Yas and the Qawasim, which precipitated the creation of the Perpetual Maritime Truce (1853). Despite Kelly's claim that by 1853 the 'battle against piracy and maritime warfare... if not yet over, had at least been won,' further provisions were required during the 18060s to contain conflict around Bahrain.²⁹ Even as late as 1950, British officials noted that Sheikh Muhammad of Fujairah was 'very well disposed towards H.M.G. and his presence... would not doubt be of assistance to us in the suppression of the banditry and kidnapping which exist in that part of Oman.'³⁰ This is a gap that this study seeks to address by reassessing maritime violence through its interconnection with slave trafficking under the Trucial system. Examinations of individual periods of large-scale violence in isolation fail to portray its continued role in the development of Pax Britannica.

Similar problems exist within studies of slavery. Bernard Lewis lamented the 'remarkable dearth' of studies on Middle Eastern slavery compared to Transatlantic regions.³¹ Despite steady growth in

²⁷ James Onley, 'Britain and the Gulf Shaikhdoms, 1820-1971: The Politics of Protection', *CIRS Occasional Paper No. 4*, (2009), p. 4 <<http://dx.doi.org/10.2139/ssrn.2825942>>.

²⁸ Davies, *Blood-Red Arab Flag*, pp. 9-11.

²⁹ John Barrett Kelly, *Britain and the Persian Gulf: 1795-1880* (Oxford: Clarendon Press, 1968), p. 500.

³⁰ London, British Library (BL), India Office Records and Private Papers, IOR/R/15/2/623, Copy of minute by Mr P.D. Stobart, Political Officer, Trucial Coast, Sharjah, 8th July 1950 <https://www.qdl.qa/en/archive/81055/vdc_100025686833.0x000064>

³¹ Bernard Lewis, *Race and Slavery in the Middle East* (New York: Oxford University Press, 1990), p. iv.

studies of East Africa, examinations of Trucial slavery remain comparatively scant beyond attempts to quantify the volume of regional slave trafficking.³² The most prominent work on British interventions against slave trafficking is that of Matthew Hopper, Benjamin Reilly, Hideaki Suzuki and Andrej Zdanowski. In *Slaves of One Master: Globalization and Slavery in Arabia in the Age of Empire* (2015), Hopper argues Britain's suppression of slave trafficking was a failure, largely due to chronic underfunding, which did not address underlying causal factors.³³ This was combined with the integration of Gulf date and pearl exports into the global economy, creating a demand for further importations of slave labour. These only created further complications, as officials were reluctant to intervene against the institution, believing it would disrupt the local economy and cause resentment towards them. The deployment of rhetorical invocations such as 'benign' or 'domestic' slavery functioned similarly to accusations of 'piracy,' only this time they were used to justify inaction.

Although Zdanowski believes that British efforts to end the slave trade were 'quite effective – the traffic in slaves was stopped and slavery as an institution weakened', Reilly argues that the measures were 'decidedly modest in scale' and provisions were easy to 'bypass, evade, or thwart via legal technicalities.'³⁴ Suzuki notes that traffickers 'went to great lengths – and showed much ingenuity – in their determination to continue their work,' constructing concomitant spaces of resistance alongside Britain's legal space.³⁵ Reilly concludes that despite the efforts of British officials, who were often committed to the cause of abolition, anti-slavery measures in Trucial Arabia were a 'well-intentioned failure.'³⁶ This thesis will expand upon Reilly's observations on the impact of regional stability and the inefficiencies of provisions that contributed to the failure to effectively suppress

³² See Conclusion for a discussion of studies into the size of the Trucial slave trade.

³³ Matthew Hopper, *Slaves of One Master: Globalization and Slavery in Arabia in the Age of Empire* (New Haven: Yale University Press, 2015), pp. 142-180.

³⁴ Jerzy Zdanowski, *Slavery and Manumission: British Policy in the Red Sea and the Persian Gulf in the First Half of the 20th Century*, (Reading: Ithica Press, 2013), pp. 80 and 143 and Benjamin Reilly, 'A Well-Intentioned Failure: British Anti-slavery Measures and the Arabian Peninsula, 1820-1940', *Journal of Arabian Studies*, 5:2 (2015), 91-115 (p. 92).

³⁵ Hideaki Suzuki, *Slave Trade Profiteers in the Western Indian Ocean: Suppression and Resistance in the Nineteenth Century*, (Cham: Palgrave Macmillan, 2017), pp. 47-48.

³⁶ 'A Well-Intentioned Failure', pp. 91-115

slave trafficking. Alongside Britain's delineation between slavery and slave trafficking, both are crucial to our understanding of how the Trucial system impacted the effectiveness of their campaign.

Decisions that were designed to uphold British paramountcy – or even expand their abolitionist campaigns - had a deleterious impact on their efforts to eradicate the slave trade. This study will examine how maritime violence and slave trafficking were also linked through underlying causal factors. One of the most significant was the influence of political instability created by the erosion of Trucial authority and regional conflict. The declining authority of Muscat and divisions between competing branches of the Al Bu Said significantly contributed to the development of a clandestine network of slave trafficker resistance along the Batinah coast in north-eastern Oman. Similarly, tensions between the Qawasim and Bani Yas and the Al Khalifah's civil war in Bahrain each escalated into significant episodes of maritime violence. Each of these was exacerbated by British non-interventionism and their unwillingness to fund a suitable naval deterrence. Trucial rulers were already vulnerable to regime changes. Without explicit British protection, the increasingly unpopular impositions of the Trucial system contributed to a volatile environment. Successive PRPGs were also deprived of an effective naval deterrent, allowing slave traffickers to circumvent their efforts and delaying their ability to respond to maritime violence.

Although maritime violence and slave trafficking were linked through their identification as maritime irregularities inimical to Britain's new normative order, their study has remained separate within the existing literature. While scholars have begun to tie their specific fields into broader debates surrounding the nature of British imperialism, there is no study that examines them side by side, despite these interconnections. Even Crouzet maintains this separation in her study of Britain's legal space. Although she rightly identifies that the British sought to replace 'the sea of illegal trafficking' with a space of 'legal trade,' piracy is largely absent from her analysis.³⁷ Yet, each was intimately

³⁷ 'A Slave Trade Jurisdiction', pp. 234-39.

connected under the Trucial system. Contemporary British officials also spoke of 'legitimate commerce' as a remedy for indigenous societies' 'predatory habits' as well as the slave trade.

Whilst Britain's treaty network largely dealt with each problem separately, an artificial division still bound them through the creation of 'domestic' and 'maritime' spheres. Continuing to study each in isolation fails to provide a complete picture of their dual utilization as justifications for Britain's assumption of authority over regional security and the construction of an identity as an exclusively maritime peacekeeper. The official policy of non-intervention in the 'domestic' sphere meant that both maritime violence and slave trafficking were pivotal in justifying the presence of British cruisers in this 'British Lake' to maintain tranquillity and encourage 'legitimate commerce.' This thesis will build upon Crouzet's observations by examining their dual roles in the construction of Britain's legal space in Trucial Arabia.³⁸

1.3 - Historiography: British Imperialism

Although Britain's interests in Trucial Arabia have been examined by historians of the Middle East, they have overlooked the theories about the nature of imperialism that historians of Africa, China, India and Latin America have helped develop. One explanation is that 'historians of the Middle East see themselves primarily *as such* rather than as historians of part of the British Empire.'³⁹ Equally, 'theoreticians and historians of Empire have tended to ignore the area, or to see its constituent units as parts of another whole – the Gulf as part of the wider history of British India... or to subsume it

³⁸Ibid, pp. 234-249. See also Briton Cooper Busch, *Britain and the Persian Gulf, 1894-1914* (Berkeley: University of California Press, 1967) pp. 56-57, Nelida Fuccaro, *Histories of City and State in the Persian Gulf: Manama since 1800* (Cambridge: Cambridge University Press, 2009), pp. 116-17 and Rosemarie Said Zahlan, *The Making of the Modern Gulf States: Kuwait, Bahrain, Qatar, the United Arab Emirates and Oman* (London: Routledge, 2016), p. 49.

³⁹ Peter Sluglett, 'Formal and Informal Empire in the Middle East', in *The Oxford History of the British Empire, 5: Historiography*, ed. by Robin W. Winks (Oxford: Oxford University Press, 1999), pp. 416-36 (p.422).

under some generalised notion' of the 'periphery.'⁴⁰ One reason for this is what Helena von Bismark identifies as the difficulty of precisely defining the constitutional relationships which existed before Britain's withdrawal. Bahrain, Qatar, Oman and the Trucial States 'never fitted into any of the categories of constitutional dependency that constituted Britain's formal empire: at no moment in history were they colonies, protectorates, condominiums, or mandate territories.'⁴¹ Glencairn Balfour-Paul lamented their indeterminate status 'wears in retrospect all the marks of that scrupulous imprecision characteristic of so many of Britain's imperial contrivances. Britain may be said to have made up the rules of the game as she went along, with the result that no one really knew what they were.'⁴²

Although contemporary historiographies widely recognise that any definition of empire must include territories not under direct control, this was not always the case.⁴³ It was John Gallagher and Ronald Robinson who described conventional interpretations of nineteenth-century imperialism as 'rather like judging the size and character of icebergs solely from the parts above the water-line.'⁴⁴ Gallagher argued that formal empire was just the tip of the iceberg that 'made up the British world system as a whole, a system of influence as well as power which... preferred to work through informal methods of influence when possible, and through formal methods of rule only when necessary.'⁴⁵ Gregory A. Barton and Brett M. Bennet define *informal imperialism* as 'a willing and successful attempt by commercial and political elites to control a foreign region, resource, or people. The means of control included the enforcement of extraterritorial privileges and the threat of

⁴⁰ James Onley, *The Arabian Frontier of the British Raj: Merchants, Rulers, and the British in the Nineteenth-Century Gulf* (Oxford: Oxford University Press, 2007), p. 29.

⁴¹ Helena Von Bismarck, *British Policy in the Persian Gulf, 1961-1968* (Basingstoke: Palgrave MacMillan, 2013), p. 6.

⁴² Glencairn Balfour-Paul, *The end of empire in the Middle East: Britain's relinquishment of power in her last three Arab dependencies* (Cambridge: Cambridge University Press, 1991), p. 102.

⁴³ See Simon C. Smith, *Britain and the Arab Gulf After Empire: Kuwait, Bahrain, Qatar, and the United Arab Emirates, 1971-1981* (Oxon: Routledge, 2019), p. 1.

⁴⁴ John Gallagher and Ronald Robinson, 'The Imperialism of Tree Trade', *The Economic History Review*, 6:1 (1953), 1-15 (p.1).

⁴⁵ John Gallagher, 'The Decline, Revival and Fall of the British Empire', in *The Decline, Revival and Fall of the British Empire: The Ford Lectures and other essays*, ed. by Anil Seal (Cambridge: Cambridge University Press, 1982), pp. 73-154 (p. 75).

economic and political sanctions, often coupled with the attempt to keep other would-be imperial powers at bay.⁴⁶

Writing during the height of British imperialistic pomp, John A. Hobson noted that Britain's possessions existed on a sliding scale of terminology, along which 'hinterland... passes into some kind of definite protectorate' as spheres of influence or protection were obscured 'and in some cases, the area and the population are highly speculative.'⁴⁷ D.A. Low re-articulated Hobson's position along a spectrum where degrees of local autonomy existed. At one end was Malaya, Uganda and Nigeria, where formally Residents were acting in an advisory capacity, but this was 'one of those fictions in which we seem to delight.'⁴⁸ Residents were both official British representatives and senior advisors in local government in a direct administrative relationship. Low includes Zanzibar after its division from Oman when the Sultan's government was eventually entirely composed of British officials. Trucial Arabia is placed at the opposite end as a prime example of a 'quasi-diplomatic' relationship, representing the mildest imposition upon local autonomy. He concluded that British control was limited to 'their foreign relations; there was no interference with their internal administration.'⁴⁹

Whilst this provides us with a useful heuristic, imperialism was a fluid process that evolved. Michael Fisher tested Low's model against the British Indian Residency system. He argues that before 1858, indirect rule was 'tested in the field and applied to particular princely states at different points in history.' At no stage did they all fit comfortably at any point upon Low's spectrum, instead Low's framework required modification to account for a 'wider degree of variation' within individual cases

⁴⁶ Gregory A. Barton and Brett M. Bennett, 'Forestry as Foreign Policy: Anglo-Siamese Relations and the Origins of Britain's Informal Empire in the Teak Forests of Northern Siam, 1883-1925', *Itinerario*, 34:2 (August 2010), 65-86 (p. 67).

⁴⁷ John A. Hobson, *Imperialism: A Study* (New York: James Pott & Company, 1902), pp. 15-16.

⁴⁸ Cited in Rais Yatim, *Cabinet Governing in Malaysia* (Malaysia: DTP Publishing, 2006), p. 185.

⁴⁹ Donald Anthony Low, *Lion Rampant: Essays in the Study of British Imperialism* (Oxon: Routledge, 2014), pp. 11-14.

over a longer period.⁵⁰ This correlates with Massey's third proposition that spaces such as the Trucial system are always under construction where the signatories arrived at similar junctures at different times.

The most significant challenge Robinson and Gallagher faced was explaining why transitions to formal empire occurred despite a metropolitan preference for collaboration or the low-cost imperialism of free trade. They explained that 'circumstances overseas, rather than central policy' informed these transitions through their official representatives – the 'men on the spot.' These men, who they believed shared common world views through their similar educational backgrounds, communicated what they described as an 'official mind' to the peripheries.⁵¹ The most significant early criticism of Robinson and Gallagher's thesis came from P.J. Cain and A.G. Hopkins, who argued that it was the City of London that drove Britain's interrelations with its colonies. 'Putting the metropolitan economy back at the century of the analysis,' they argued, 'makes it possible to establish a new framework for interpreting Britain's historic role as a world power.'⁵² They argued that 'geographical considerations... have their place in the story, but only within the context of impulses emanating from the centre.' Imperial expansion was a product of members of the financial sector – not an 'official mind' – who influenced the government.⁵³

Both arguments were structured around an organised group – either in London or the colonies - who communicated a coherent vision for empire. John Darwin has challenged these assumptions, arguing that empires were not made by faceless committees operating in a rational sequence. Behind the façade stood a mass of stakeholders whose actions and demands were shaped by varying motives

⁵⁰ Michael H. Fisher, 'Indirect Rule in the British Empire: The Foundations of the Residency System in India (1764-1858)', *Modern Asian Studies*, 18:3 (1984), 393-428 (pp. 394-96).

⁵¹ Ronald Robinson, John Gallagher and Alice Denny, *Africa and the Victorians: The Official Mind of Imperialism* (London: Macmillan, 1981), p. xvii.

⁵² P.J. Cain and A.G. Hopkins, *British Imperialism: Innovation and Expansion 1688–1914* (London: Longman, 1993), p. 5.

⁵³ P.J. Cain and A.G. Hopkins, *British Imperialism: Crisis and Deconstruction, 1914–1990* (London: Longman, 1993), p. 297.

and morals, and whose interrelations informed and shaped the Trucial system.⁵⁴ Command of the empire was chaotic, the notion that orders uttered from London were obeyed around the world is a fallacy. The PRPG often responded to crises that required an immediate response, with only their interpretations of British India's desires to guide them. This was further complicated by disputes between proponents of 'masterly inactivity' – who favoured minimal intervention – and 'new imperialism' – which advocated for more direct intervention.

Both Ann Laura Stoler and Fred Cooper have argued for a greater analysis of the tensions of empire which existed among Europeans, as well as between themselves and the indigenous population.⁵⁵ No single vision or 'official mind' existed, rather decisions were reflective of a mass of competing interests that pursued different versions. Robert Fletcher, Benjamin Mountford and Simon Potter describe this as a 'chaotic pluralism' of interests 'all seeking to secure their own ends and further their own agendas.'⁵⁶ The makers of empire bequeathed their successors 'little more than a building site and a set of hopelessly defective plans' constructed around a myriad of compromises.⁵⁷ This was reflected in the construction of the Trucial system, which was a product of these interrelations. Designed to satisfy as many stakeholders as possible, it was frequently revisited whenever new demands were no longer satisfied by existing arrangements with their informal empire in Trucial Arabia.

According to Darwin, these competing interests were connected through the establishment of 'bridgeheads' in indigenous territories, through which their power and influence were focused. He argued that 'only by reconstructing more fully the functioning and interaction of these bridgeheads at home and abroad will we be able to explain properly the erratic, unpredictable, tentative,

⁵⁴ John Darwin, *Unfinished Empire: The Global Expansion of Britain* (London: Penguin Books, 2013), pp. xii-xiii.

⁵⁵ Ann Laura Stoler and Fred Cooper, *Imperial Networks: Creating Identities in Nineteenth Century South Africa and Britain* (Abingdon: Routledge, 2001).

⁵⁶ Robert Fletcher, Benjamin Mountford and Simon Potter, 'Making Connections: John Darwin and his Histories of Empire', *The Journal of Imperial and Commonwealth History*, 47:5 (2019), 801-14 (p. 805).

⁵⁷ Darwin, *Unfinished Empire*, p. xii.

opportunistic but ultimately insatiable progress' of British imperialism.⁵⁸ According to Lester, by recognising the 'co-existence of different British interests, each with their own ways of connecting metropole and colony,' Darwin touched on Nicholas Thomas' insistence that 'we identify multiple, and often contestatory 'projects' of colonialism.'⁵⁹

Recent historiography has built upon this hypothesis through the development of a 'webbed' or 'networked' approach to imperialism. Tony Ballantyne argues that 'imperial social formation' was more than a dyad, as it 'did not interweave Britain... or any... single colony,' but instead empire functioned as a 'larger system of mobility and exchange where ideas and ideologies circulated broadly.'⁶⁰ Ballantyne describes these systems as 'webs,' but Zoe Laidlaw argues that the term 'network' more effectively 'captures the complex and irregular systems of connection examined here than the regular, two-dimensional image' of a 'web.' For this study, we shall utilise the latter.⁶¹ Laidlaw argues these networks encouraged a transmission of 'ideas, and experience, through the empire.'⁶²

According to Lester, these conceptions consider it 'more useful to try to examine multiple meanings, projects, material practices, performances and experiences of colonial relations' without privileging 'either metropolitan or colonial spaces.'⁶³ Kirsten McKenzies describes this as recasting the relationship 'between metropolitan centre and colonial periphery into a more contested, unstable and mutually constitutive frame.'⁶⁴ Carl Bridge and Kent Fedorowich have stressed the need to

⁵⁸ John Darwin, 'Imperialism and the Victorians: The Dynamics of Territorial Expansion', *English Historical Review*, 112:447 (Oxford: Oxford University Press, 1997), 614-42 (p. 642).

⁵⁹ Lester, 'Imperial Circuits and Networks', p. 129 and cited in Volker Barth and Roland Cvetkovski, 'Introduction - Encounters of Empires: Methodological Approaches', in *Imperial Co-operation and Transfer, 1870-1930: Empires and Encounters*, ed. by Volker Barth and Roland Cvetkovski, (London: Bloomsbury, 2017), pp. 3-34 (p. 6).

⁶⁰ Tony Ballantyne, *Webs of Empire: Locating New Zealand's Colonial Past* (Vancouver: UBC Press, 2014), pp. 28-29.

⁶¹ Zoë Laidlaw, *Colonial Connections, 1815-1845: Patronage, the Information Revolution and Colonial Government* (Manchester: Manchester University Press, 2005), p. 14.

⁶² Ibid.

⁶³ Lester, 'Imperial Circuits and Networks', p. 131.

⁶⁴ Kirsten McKenzie, *Scandal in the Colonies* (Melbourne: University of Melbourne Press, 2004), p. 3.

comprehend 'the dynamic that there was a multiplicity of metropolises and peripheries in the British world.' The 'cultural glue' which held the empire together 'consisted not only of sentiment and shared institutional values but also a plethora of other networks.'⁶⁵ This study will utilise these networked interpretations of British imperialism to examine the multiple trajectories involved in shaping Britain's legal space in Trucial Arabia through the interrelations of various stakeholders. As Lester notes, both 'metropolitan and colonial places' are specific meeting points of trajectories within the imperial network. Spaces within this are the result of their 'coming together... in specific ways at a specific time.'⁶⁶ In the Persian Gulf, this was the legal space created through the Trucial system through the interrelations of multiple trajectories.

Some studies have integrated Trucial Arabia into these broader networks. Most significantly, Matthew Hopper argues that the region's integration into the global economy influenced Trucial slavery. Here, the personal stories of enslaved Africans were linked to the impersonal global commodity chains their labour enabled, demonstrating how demand for Trucial exports drove their transportation to Arabia.⁶⁷ Britain's reluctance to interfere in Trucial slavery was partially informed by their disinclination to disrupt the local economy, fearing this could undermine their regional position. Hopper's work highlights the influence multiple stakeholders could have on shaping conditions in Trucial Arabia and the prioritisation of British paramountcy over their humanitarian commitments.

However, further utilisation of a networked approach to place Trucial Arabia into the wider historiographical discourse surrounding British imperialism is largely confined to smaller interconnections. It is this gap that this study seeks to address by placing Trucial Arabia within discussions focusing on the nature of British imperialism through an examination of how imperial

⁶⁵ Carl Bridge and Kent Fedorowich, 'Mapping the British World', *Journal of Commonwealth and Imperial History*, 31:2 (2003), 1-15 (pp. 2-6).

⁶⁶ Lester, 'Imperial Circuits and Networks', p. 135.

⁶⁷ Matthew Hopper, *Slaves of One Master*, <<https://yalebooks.yale.edu/book/9780300192018/slaves-one-master/>>, [accessed 23rd March 2020].

networks influenced the Trucial system. By combining area studies (which focus on regional specifics) with imperial theory (which searches for commonalities), this thesis will provide a broader perspective of British imperialism in Trucial Arabia during the early to mid-nineteenth century.

Applying networked theories to the Trucial system will help us understand how various interrelations contributed to its construction. This will allow us to examine how tensions and collaborations between competing British stakeholders informed the development of the provisions of the Trucial system.

It will also allow us to explore how Britain's relationships with the Trucial signatories and other regional powers contributed to compromises that informed the structure of British imperialism.

Examining Trucial Arabia through the lens of maritime violence and slave trafficking will also contribute to existing theories of the nature of imperialism by demonstrating how regionally specific variables impacted the scope and nature of imperial rule. This will help to place Trucial Arabia into a broader story of British imperialism whilst drawing together existing Gulf historiographies that have hitherto remained contextually connected but mostly separated within existing discourse.

1.4 - Research Methodology, Archival Limitations and Imperial Reproductions

J.G. Lorimer's *Gazetteer of the Persian Gulf, Oman and Central Arabia* (1915) is widely recognised as a classic introduction to the history and geography of the Persian Gulf. It represents one of the most significant collections on Britain's interaction with the region. In addition to the *Gazetteer*, this study also utilises Jerome A. Saldanha's various *Précis of the Affairs of the Persian Gulf*. Saldanha's work includes large volumes of primary source material from correspondences between British agents and their superiors in Bombay and Calcutta. Parliamentary Papers and Reports have also been utilised, most significantly the invaluable *Report of the Commissioners* (1876) from the Royal Commission on

Fugitive Slaves. The *Report* contains extensive records and testimonies from those involved in the campaign against the Trucial slave trade. Testimonies include first-hand witness statements, which reveal how the campaign of suppression, slave trafficking and the institution of slavery functioned in Trucial Arabia. In addition to these testimonies, the travelogues of James Silk Buckingham, John Malcolm, Carsten Niebuhr, Robert Mignan, George Sale, Eyles Irwin, William Huede, John Johnson, Thomas Lumsden and William Gifford Palgrave provide invaluable insight into British observer's perceptions of Trucial society.

The decision to predominately utilise British sources was informed by the relatively scant availability of local sources. Abdul Aziz Al Khalifa, a member of the Bahraini royal family, and Mohamed Al Thani largely derive their primary sources from British Indian records.⁶⁸ One of the largest obstacles in Gulf historiography is that many local primary sources are held in private collections. There also exists a strong oral culture, which means much of their history may not be committed to paper.⁶⁹ Most available local primary sources are translated attachments to British correspondences. Those that exist independently, such as Salil ibn Raziq's *History of the Imams and Seyyids of 'Oman*, were also translated to facilitate these imperial modes of knowledge. Writing in the preface, George Percy Badger justifies the retention of 'details of petty wars and intestine broils' because it was 'only by a close study of a people, as they describe themselves, that a trustworthy appreciation of their modes of thinking and acting, of their social economy, and of their way of conducting themselves towards other people can be formed.'⁷⁰

⁶⁸ See Abdul Aziz Mohamed Hassan Al Khalifa, *Relentless Warrior and Shrewd Tactician - Shaikh Abdullah Bin Ahmad of Bahrain 1795-1849: A Case Study of Shaikhly Statecraft in the Nineteenth Century Gulf* (Exeter: University of Exeter Press, 2013) and Mohamed Al Thani, *Jassim the Leader: Founder of Qatar* (London: Profile Books, 2012).

⁶⁹ Mark C. Gleason, 'Khaleeji Cultural Challenges to Western Research into Gulf Arab History', in *Liberal Arts Perspectives on Globalism and Transnationalism: Within the Knot*, ed. by Hyun We Lee and Mark van de Logt (Newcastle: Cambridge Scholars Publishing, 2020), pp. 34-49 (pp. 38-39).

⁷⁰ Salil Ibn Raziq, *History of the Imams and Seyyids of 'Oman from A.D. 661-1856* (London: Hakluyt Society, (1871),

The scarcity of local sources means that much of the material referenced by this study is the product of the British imperial administrations. It would be irresponsible to proceed without acknowledging the problematic aspects of these sources. According to Ashis Nandy, there were two generations of British imperialists. The first generation were rapacious 'bandit-kings who conquered the colonies' followed by a later generation of 'well-meaning, hard-working, middle-class missionaries, liberals, modernists and believers in science, equality and progress.' He argues this first generation 'robbed, maimed and killed' armed with only crude concepts of racism, often without the motivation of a civilising mission. The second generation engaged in the 'colonisation of the mind' – a process where 'minds in addition to bodies' were shaped by the release of forces within colonised societies designed to alter their cultural priorities. Here the West was transformed from a geographical and temporal entity into a psychological category – 'The West is now everywhere, within the West and outside; in structures and in minds.'⁷¹

Gayatri Chakravorty Spivak describes this process as *epistemic violence* in *Can the Subaltern Speak?* (1988).⁷² She argues that the colonised cannot speak as 'so imbued must she be with the words, phrases and cadences of Western thought in order for her to be heard... [she] must always be caught in translation, never truly expressing herself, but always interpreted.'⁷³ Māori academic Linda Tuhiwai Smith has cautioned that research is often 'inextricably linked to European imperialism and colonialism' and requires decolonisation. 'It galls us,' she laments, 'that Western researchers... can assume to know all that it is possible to know of us, on the basis of their brief encounters with some of us. It appals us that the West can desire, extract and claim ownership of our ways of knowing, our

⁷¹ Ashis Nandy, *The Intimate Enemy: Loss and Recovery of Self Under Colonialism*, (Oxford: Oxford University Press, 1988), pp. x-xi.

⁷² See also Crispin Bates and Marina Carter, *Mutiny at the Margins: New Perspectives of the Indian Uprising of 1857, Vol. 7: Documents of the Indian Uprising* (Delhi: SAGE, 2017), Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton: Princeton University Press, 2000) and Michael Foucault, *Madness and Civilisation: A History of Insanity in the Age of Reason* (New York: Pantheon, 1965), pp. 251-69.

⁷³ John Briggs and Joanne Sharp, 'Indigenous Knowledges and Development: A Postcolonial Caution', *Third World Quarterly*, 25:4 (2004), 661-76 (p. 665).

imagery, the things we create and produce, then simultaneously reject the people who created and developed those ideas...'⁷⁴

It is important to clarify here that this study does not propose to speak for the indigenous actors involved in or impacted by the Trucial system. The predominance of British archival material means their voices are largely obscured. Although it is possible to make qualified speculations about their motives, it is impossible to speak for them. Although transcribed copies of communications may provide clues, we must remember that they were addressed to British officials. Their intentions may have become lost in translation or diplomatic courtesies. However, where possible, this thesis will recognise the agency of the signatories through an examination of their navigation of British imperial structures through the development of survival strategies or networks of resistance. Their contributions to the development of the Trucial system through their interactions with various branches of British imperialism are crucial to our understanding of how empire operated in Trucial Arabia.

Smith's observations are vital when we consider how archival material was designed to reproduce histories that privileged imperial discourses and facilitated the expansion and administration of empire. The *Gazetteer*, for example, was reproduced and referenced by British agents, forming a prominent position within the early historiography. Yet, J.B. Kelly acknowledges that although these sources 'contain a general selection of correspondence' from the records of the Governments of India and Bombay, they contain serious omissions and their historical accuracy is sometimes unreliable.⁷⁵ The 'collation, systematisation and codification of often scattered historical, geographical and statistical information' in the form of gazetteers were vitally important to

⁷⁴ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books, 1999), p. 1.

⁷⁵ Kelly, *Britain and the Persian Gulf*, p. 860.

imperialism.⁷⁶ 'The expansion of knowledge,' C.A. Bayly notes, 'was not so much a by-product of empire as a condition for it.'⁷⁷

Metropolitan-focused imperial histories have run the risk of returning indigenous peoples to the margins of history, whilst privileging the experiences of the power financial, mercantile and political interests of London.⁷⁸ Lester notes that if we think 'only about imperial networks that were constructed and maintained by colonial interests, it is easy to overlook the fact that colonised subjects themselves could and did forge new, anti-colonial networks of resistance.'⁷⁹ This was certainly true in Trucial Arabia, in response to the British restrictions, slave traffickers developed a highly sophisticated network of resistance to circumvent prohibitions. Utilising their intimate local knowledge, traffickers exploited political instability and developed systems to avoid detection through their connections with local sources.⁸⁰

This was not restricted to traffickers. In Oman, dissatisfaction with the ruling Al Bu Said's increasing dependence on the British and inability to repel Wahhabi incursions led to over forty years of sporadic resistance by Ibadi revivalists. The informal nature of British imperialism also meant that indigenous actors actively participated in shaping its structure in Trucial Arabia. James Onley has highlighted the crucial role Native Agents played in Bushire's administration of Gulf affairs. These indigenous actors were recruited from the affluent mercantile communities intimately integrated into local political structures.⁸¹ The success of British efforts in Trucial Arabia, he argues, relied upon Robinson's theory of 'indigenous collaboration.' Robinson utilises the word 'collaboration' in a

⁷⁶ Daniel A. Lowe, 'Colonial Knowledge: Lorimer's Gazetteer of the Persian Gulf, Oman and Central Arabia', *Qatar Digital Library*, <<https://www.qdl.qa/en/colonial-knowledge-lorimer%E2%80%99s-gazetteer-persian-gulf-oman-and-central-arabia>>, [accessed 12th June 2020]. See also Richard Price, 'One Big Thing: Britain, Its Empire, and Their Imperial Culture', *Journal of British Studies*, 45:3 (2006), 602-27 (pp. 602-627).

⁷⁷ Christopher Alan Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870* (Cambridge: Cambridge University Press, 1999), p. 56.

⁷⁸ Ballantyne, pp. 28-29.

⁷⁹ Lester, 'Imperial Circuits and Networks', p. 134.

⁸⁰ Suzuki, *Slave Trade Profiteers in the Western Indian Ocean*, pp. 41-52.

⁸¹ See James Onley, 'Britain's Native Agents in Arabia and Persia in the Nineteenth Century', *Comparative Studies of South Asia, Africa and the Middle East*, 24:1 (2004) 129-37 and *The Arabian Frontier of the British Raj*.

strictly neutral sense of ‘working jointly with another,’ which is also its intended interpretation through this thesis.⁸²

For Trucial rulers, collaboration with Britain was part of a survival strategy informed by pre-existing socio-political traditions of protection seeking. The Maritime Truces largely reflected the expectations of the signatories, who continued to request further protection from the British. Alignment with Britain was attractive to Trucial rulers and external recognition of their ability to negotiate for their subjects through the Trucial system helped legitimise their authority. Utilising a networked approach will allow us to examine how Trucial rulers shaped the construction of British imperialism while solidifying their interests. Relegating Trucial rulers to passive victims of imperial impositions oversimplifies their relationship with Britain and deprives them of any agency as independent actors navigating the evolving realities of nineteenth-century politics.

The importance of interrogating imperial archival material has become increasingly apparent. During the process of writing, debates surrounding Britain’s imperial legacy became more pronounced within the public sphere in the wake of the death of George Floyd on 25th May 2020. Floyd’s death ‘resonated deeply with people in the UK,’ which was reflected by numerous anti-racism rallies.⁸³ This resurrected an ongoing struggle to reconcile Britain’s imperial record with a ‘misplaced sentimentality’ towards the British Empire.⁸⁴ As recently as 2014 a poll found that fifty-nine per cent of respondents agreed that empire ought to be something to be proud of and a third would have liked it if Britain still had an empire.⁸⁵ Jeffrey Richards describes this peculiarity as a retreat ‘into a

⁸² Robinson, Ronald, 'Non-European Foundations of European Imperialism: Sketch for a Theory of Collaboration', in *Studies in the Theory of Imperialism*, ed. by Roger Owen and Bob Sutcliffe (1972), pp. 117-42 (pp. 130-42).

⁸³ Aamna Mohdin and Glenn Swann, 'How George Floyd's death sparked a wave of UK anti-racism protests', *The Guardian* <<https://www.theguardian.com/uk-news/2020/jul/29/george-floyd-death-fuelled-anti-racism-protests-britain>> [accessed 30th July 2020].

⁸⁴ Kevin Shillington and Frances Rehal, 'The uncomfortable truth about Britain’s imperial legacy', *The Guardian* <<https://www.theguardian.com/world/2020/mar/12/the-uncomfortable-truth-about-britains-imperial-legacy>> [accessed June 16th 2020]

⁸⁵ Cited in Edoardo Campanella and Marta Dassu, *Anglo Nostalgia: The Politics of Emotion in a Fractured West* (Oxford: Oxford University Press, 2019), p. 19.

nostalgia for an empire which they barely remember and of which they know almost nothing.⁸⁶

Mikko Salmela and Christian von Scheve noted that although 'anger, *resentment*, and feelings of insecurity and powerlessness certainly are important predictors... one of the most intricate and important emotions is... shame.'⁸⁷

Anxieties surrounding critiques of empire are bound up in anticipated shame, which signals an expected loss 'brought to the present in anticipation, rather than the mere threat or the possibility of a loss or social exclusion.' The more there is to lose, the more substantial the *anticipated shame* about these losses is.⁸⁸ Kim Wagner argues that the 'real concern with 'criticism' of the British empire... is to challenge a particular narrative that so many people still hold dear.' Ultimately, it is not about the past 'but the present, it is not about facts but feelings, and is not about history but identity.'⁸⁹ Walter D. Mignolo has described modernity as a complex narrative 'whose point of origination was Europe' which built Western civilisation 'by celebrating its achievements while hiding at the same time its darker side.'⁹⁰ Britain's role remains a potent rhetorical device, making a neutral reassessment of the efficacy of these campaigns increasingly important.

Six years after the bicentennial commemoration of the abolition of the slave trade, David Cameron declared that 'Britain may be a small island, but I would challenge anyone to find a country with a prouder history, a bigger heart or greater resilience... Britain is an island that helped to abolish slavery.'⁹¹ As Katie Donnington has argued, the 'moral capital' of abolitionism provided a 'means of

⁸⁶ Jeffrey Richards, 'Imperial heroes for a post-imperial age: films and the end of empire', in *British Culture and the End of Empire*, ed. by Stuart Ward (Manchester: Manchester University Press, 2001), pp. 128-44 (p. 143).

⁸⁷ Mikko Salmela and Christian von Scheve, 'Emotional roots of right-wing political populism', *Social Science Information*, 56:4 (2017), pp. 567-94 (p. 584).

⁸⁸ R. Sennett, *The Corrosion of Character* (New York and London: WW Norton, 1998).

⁸⁹ Kim Wagner, 'Imperial Legacies by Jeremy Black review – whitewash for Britain's atrocities', *The Guardian* <<https://www.theguardian.com/books/2019/aug/10/imperial-legacies-jeremy-black-review-empire-multiculturalism>> [accessed on 12th June 2020].

⁹⁰ Walter D. Mignolo, *The Darker Side of Western Modernity: Global Futures, Decolonial Options* (London: Duke University Press, 2011), pp. 2-3.

⁹¹ Quoted in Patrick Wintour, 'David Cameron: UK may be a small island but it has the biggest heart', *The Guardian* <<https://www.theguardian.com/politics/2013/sep/06/david-cameron-uk-small-island>> [accessed on 12th July 2020].

redeeming Britain's troubling colonial past as well as a justification for its continued role in international affairs.⁹² To satisfy the construction of Britain's postcolonial identity as a champion of humanitarianism, 'slavery had to be forgotten and abolition remembered.'⁹³ This is not an isolated case of contemporaneous historical revisionism, but rather part of a lengthy process of self-proposed redemption from 'being the world's greediest and most successful traders of slaves in the eighteenth century... to being able to preen themselves on being the world's most foremost opponents of slavery.'⁹⁴ It is the perpetuation of this self-congratulatory conceptualisation of Britain's humanitarian record and the epistemic violence of imperial modes of knowledge that this thesis seeks to recognise and interrogate.

Whilst abolition was important to British policymakers in the Gulf and India, imperial-decision making was also driven by self-interest designed to maintain British paramountcy. This study does not attempt to engage with the simplistic binary of whether the British Empire was *good* or *bad*: rather, it seeks to explore the motivations for and consequences of intervention in Trucial Arabia through the lens of anti-slavery and maritime peacekeeping. Examining how abolition functioned outside the well-documented Transatlantic sphere is also crucial to our broader understanding. With the impending Qatari FIFA World Cup, it is equally important to bring a hitherto underrepresented region of Britain's informal empire into this conversation. The comparative absence of the Gulf from the existing historiography of empire highlights the importance of re-examining Britain's record in Trucial Arabia to place it within wider debates surrounding the legacy of British imperialism. This study will function both as an empirical refutation of historical revisionism, which threatens to distort or oversimplify our understanding of the history of slavery in the Middle East, and the uncritical regurgitation of imperialist discourse.

⁹² Katie Donnington, *History Workshop*, <<https://www.historyworkshop.org.uk/the-legacies-of-british-slave-ownership/>>, [accessed on 3rd March 2020].

⁹³ Katie Donnington, Ryan Hanley and Jessica Moody, 'Introduction', in *Britain's History and Memory of Transatlantic Slavery: Local Nuances of a 'National Sin'*, ed. by Katie Donnington, Ryan Hanley and Jessica Moody (Liverpool: Liverpool University Press, 2016), pp. 1-18 (p. 2).

⁹⁴ Linda Colley, *Britons: Forging the Nation, 1707-1837* (London: Pimlico, 1994), p. 351.

1.5 - Structure of Thesis

This thesis will provide a chronological examination of British intervention between the Treaty of Friendship (1798) and the Royal Commission on Fugitive Slaves (1876). Utilising a chronological approach will allow us to analyse the development of British intervention over time through its interactions with the interconnected issues of maritime violence and slave trafficking, by identifying trends, contradictions and evolutions in British policy. Although the origins of the Trucial system are traditionally recognised as beginning with the ratification of the General Treaty, Britain's relationship with the region began with their anti-French accord with Sultan bin Said. It was a tentative first step before what Hideaki Suzuki described as an 'unequivocal indication of a transition in the position of the Persian Gulf on the British imperial geopolitical map.'⁹⁵ The Royal Commission on Fugitive Slaves also represents the last significant step in British anti-slavery, before their regional role changed significantly with the introduction of the Exclusive Agreements in 1892. This study will be limited to an examination of the interactions between British intervention in Trucial Arabia and the interconnected issues of slave trafficking and maritime violence during the development of the Trucial system.

In **Chapter One**, we will establish the political situation in the Gulf at the time of Britain's intervention, their motivations for becoming involved and how the General Treaty fits into broader efforts to redefine the slave trade as piracy. The mid-eighteenth century was crucial not only for British interests in the Indian subcontinent but also for regional politics in the Persian Gulf. The collapse of Iranian power left a vacuum into which Oman, the Qawasim and the emergent Wahhabi state were placed on a path to inevitable conflict. The introduction of the British – ostensibly in response to the threat of French expansion – marked a significant deviation from their existing policy motivated by their desire to protect India. The subsequent General Treaty, which defined slave

⁹⁵ Suzuki, 'The Making of the Joasmee Pirates', p. 69.

trading as 'plunder and piracy', was not only an important part of their efforts to expand abolition but also provided the British with a *raison d'être* in Trucial Arabia.

In **Chapter Two**, we will examine Britain's immediate efforts against the slave trade in the Indian Ocean through their campaigns against the Mascarene traffic. Officials faced the unenviable task of balancing the humanitarian priorities of the metropole with the political pragmatism of colonial administration. Similar calculations were also taking place in their relationship with Oman, resulting in the Moresby Treaty (1822). By prioritising the elimination of the French traffic in the Mascarenes, the British official recognised Oman's right to a legal 'internal' traffic in slaves in return for a ban on exports to Europeans. As Said bin Sultan was considered an important regional ally, British officials were willing to compromise in exchange for his collaboration. Britain's complicated relationship between their abolitionist priorities and political pragmatism was also highlighted through their desire to frame Trucial slavery as comparatively 'benign.'

In **Chapter Three**, we will explore the aftermath of the General Treaty, as Britain sought to define its regional presence. It was only after the disastrous Bani Bu Ali campaign that they solidified an artificial division between 'domestic' and 'maritime' spheres under a renewed adherence to non-intervention. PRPG John Macleod quickly identified significant problems with the General Treaty, though his recommendations failed to be implemented after his untimely death. As 'lawful warfare' remained valid, and Britain was officially committed to non-interference within internal affairs, an escalating conflict soon erupted, seriously threatening the tranquillity of the Persian Gulf. The eventual solution was the Maritime Truces, which were in part shaped by Trucial Arabian socio-political traditions of protection seeking. Through these truces, the British hoped to encourage the development of 'legitimate commerce' by persuading the signatories to abandon their 'predatory habits' in exchange for guarantees of security on the pearling banks.

In **Chapter Four**, we will examine the expansion of Britain's campaign against the Trucial slave trade between 1824-1845. When a complaint was filed regarding the alleged kidnapping of Somali girls by

the Qawasim, the PRPG was finally forced to reassess the deficiencies in their existing arrangements. What followed was a concerted effort to address jurisdictional loopholes and expand their rights to search and seizure, culminating in the total prohibition of the Trucial slave trade under the Hamerton Treaty (1845). Despite these successes, the declining influence of Said bin Sultan in Oman and tensions within the Anglo-Omani alliance quickly undermined British efforts. Without British support, Oman was left at the mercy of revitalised Wahhabi raids. Said's increasing absences saw his authority challenged, resulting in a disastrous collapse of Muscati authority over the Batinah coast. Here, a network of slave trafficker resistance developed, circumventing British efforts to suppress the Trucial slave trade.

In **Chapter Five**, we will explore the role of British Indian subjects in Trucial Arabia and the evolutions in British Indian foreign policy after the Indian Crisis (1857). The ensuing Canning Award (1861) appeared to be a radical departure from the existing orthodoxy, as Calcutta oversaw the division of Oman and Zanzibar. Yet, Britain already interfered in the internal affairs of Trucial Arabia through their use of Native agents and the expansion of extraterritorial jurisdiction. British Indians played an intimate role in the local political fabric. Britain's desire to expand its jurisdiction coincided with concerns about their involvement in slave trafficking. Debates ensued over who qualified as a British or Omani subject, while their protection rights were thrust to the forefront following an attack on Sur. This was only complicated further by emerging disagreements between proponents of 'masterly inactivity' and 'new imperialism.'

In **Chapter Six**, we will examine the resurgence of maritime violence during the Qatari-Bahraini War and the growing influence of 'new imperialism.' Despite the successes of the Maritime Truces, they were not all-encompassing. Although Bahrain remained absent from the agreements until they signed the Friendly Convention (1861). Britain's continued adherence to non-interference proved disastrous, as rowing tensions between Bahrain and her Qatari subjects collided with an absence of sufficient British naval deterrent. Equipped with outdated and unreliable vessels, the PRPG Lewis

Pelly was powerless to effectively intervene, as disagreements between his superiors in India about Britain's role in the Gulf facilitated the resurgence of maritime violence. Growing divisions within India became entangled with the Trucial system, as 'new imperialists' began to advocate for more substantial interventions into regional politics.

Finally, in **Chapter Seven**, we will examine the crisis of the Fugitive Slave Circulars. Although non-intervention in domestic affairs was justified through appeals to the comparative 'benignity' of Trucial slaver, the rights of fugitive slaves under international law threatened their position. Officials feared that if British ships were considered sites of sanctuary then those ships would incentivise mass desertions and undermine British paramountcy. The publication of the Fugitive Slave Circulars thrust Britain's record in Trucial Arabia under the metropolitan spotlight, finally subjecting their record to intense scrutiny. As Palmerston bemoaned, a policy could be easily 'derailed by a press campaign' and ministers were victims of the 'unpredictable shifts and swings of public opinion' which weighed heavily upon them.⁹⁶ Although Palmerston died in 1865 after limited interaction with Trucial Arabia, his observation appeared unwittingly prescient as Edward Stanley (son of his long-term rival Edward Smith-Stanley) was forced to withdraw the Circulars and defer the matter to a Royal Commission. As pressure mounted, compromises between competing stakeholders with the imperial network shaped the Royal Commission's response to the crisis, just as it had often informed British officials' response to Trucial slavery.

⁹⁶ Darwin, 'Imperialism and the Victorians', p. 623.

2.0 - Trucial 'Piracy' and the General Treaty, 1797-1820

On 27th July, *Kitty's Amelia* carried the last legal cargo of slaves from British soil. The Slave Trade Act (1807) declared that the 'African Slave Trade... is hereby utterly abolished, prohibited, and declared to be unlawful.'⁹⁷ During their conflict with Napoleon, Britain gained ascendancy on the seas after the Battle of Trafalgar. Britain's use of its naval power was shaped or constrained by political calculations in both national and international politics.⁹⁸ At the Congress of Aix-la-Chappelle, Lord Castlereagh proposed they should 'consider the trade in slaves as a crime against the law of nations, and to this effect to assimilate it to piracy.'⁹⁹ Attacks against British Indian shipping by the Qawasim of Ras al-Khaimah presented the British with an opportunity to enshrine this principle into a binding agreement after two punitive expeditions in 1809 and 1819. Under the General Treaty (1820), they redefined the 'carrying off' of slaves as 'piracy and plunder' in response to the alleged plundering of neutral vessels. Unlike elsewhere, where their efforts to redefine the slave trade as piracy ultimately failed, in Trucial Arabia, these efforts formed the basis of the Trucial system. In this chapter, we will establish how maritime violence and slave trafficking became interconnected through Britain's interactions with Trucial Arabia between 1798-1820.

Firstly, we will explore the causal factors of maritime violence in the Persian Gulf after the collapse of the Safavid dynasty. This will allow us to establish the conditions before Britain's arrival and provide a context for the conflicts that defined their interpretation of Trucial Arabia as the 'Pirate Coast.' After Persia's descent into internecine conflict, the battle for supremacy over the Gulf became hotly contested between their successors and the rising powers of the Qawasim, Oman and Bahrain. Conflict over commercial opportunities frequently escalated into episodes of maritime violence, as Oman and the Qawasim became embroiled in a bitter feud. This conflict would

⁹⁷ Cited in John Raithby, *The Statutes relating to the Admiralty, Navy, Shipping and Navigation of the United Kingdom* (London: Eyre, 1823), pp. 739-44

⁹⁸ Mary Wills, *Envoys of Abolition: British Naval Officers and the Campaign Against the Slave Trade in West Africa* (Liverpool: Liverpool University Press, 2019), p. 18.

⁹⁹ Cited in Jenny S. Martinez, *The Slave Trade and the Origins of International Human Rights Law* (New York: Oxford University Press, 2012),

significantly influence British interpretations of the Gulf. However, significant differences existed between their conceptualisation of 'piracy' and Trucial Arabian traditions. No term in Arabic conveyed any comparable legal connotation. What British administrators, naval officers and travel writers considered 'piracy' was not linguistically distinguished as illegal under local customs. As the conflict escalated through the introduction of the Wahhabis to regional politics, these differing interpretations would inform the future of the region.

Secondly, we will examine why the British chose to intervene in Trucial Arabia and how the circumstances of their entry informed the acrimonious relationship with the Qawasim. Here we will establish how British interests in India informed their decision to enter a relationship with Oman under the Treaty of Friendship (1798), placing them on a collision course with Ras al-Khaimah. The demise of Persia coincided with significant British victories in India over their perennial European rivals France. With their dominance over the subcontinent secured, British officials were anxious to protect their position. News of Napoleon's victories in Egypt had been swiftly followed by alarming reports of French overtures to Tipu Sultan of Mysore and Ahmad bin Sultan of Oman. The threat of a potential French naval base in Muscat was enough to prompt a response. John Malcolm was dispatched to secure an agreement with Oman to reject French overtures in exchange for British friendship. However, Britain's desire to construct a *cordon sanitaire* around India through an alignment with Oman would unintentionally draw them into Muscat's ongoing conflict with the Qawasim.

Thirdly, we will discuss why the Qawasim became infamous within British sources and what marked them for punitive retribution. In doing so, we will establish what motivated the British to label the Qawasim 'pirates', and which factors informed their decision to launch expeditions against Ras al-Khaimah. Contemporary British observers stressed the religious elements of the alleged depredations, largely attributing the Qawasim's activities to their allegiance with the Wahhabis. Although Muhammad Al-Qasimi accused the British of perpetuating a 'Big Lie,' reports from their

agents did not solely inform the justification for the expeditions. The Indian mercantile community played a significant role in mobilising British action through petitions to Bombay seeking protection from alleged Qasimi raids along the coast of north-western India. The importance of protecting the community's pre-existing commercial interests and the growing importance of the Gulf to British Indian geopolitical considerations sealed Ras al-Khaimah's fate.

Finally, we will discuss the General Treaty and how maritime violence and slave trafficking became interconnected within the Trucial system through its relationship to wider imperial developments. Here we shall establish why these dual irregularities were specifically marked for eradication under the provisions of the General Treaty and how they were informed by wider imperial developments. After the Napoleonic Wars, Britain had sought to retain her rights to search and seizure to combat the recently abolished slave trade, but these attempts were thwarted by the growing popularity of 'legal positivism.' Under Article IX, the British had redefined the 'carrying off' of slaves as 'plunder and piracy.' This formed part of a broader effort by London to expand its global campaign to abolish the slave trade by establishing a new norm under international law. This provision acted as a precedent for future agreements in Britain's treaty network, but its significance to their relationship with Trucial Arabia was much more influential. Britain's General Treaty was an amalgamation of London's expanding humanitarian commitments and India's desire to establish a secure boundary along its periphery. It was also the first step in the establishment of a legal space in the waters surrounding Trucial Arabia that would inform the nature of British imperialism in the region.

2.1 - The Origins of Maritime Violence in the Persian Gulf

Since the reign of Shah Ismā'il I the Safavid dynasty was the predominant force in the Persian Gulf. However, intrusions by Europeans in the seventeenth century drained Persia of much of its silver

and gold supplies.¹⁰⁰ The Ottomans exploited this weakness, invading present-day Kurdistan during the 1720s.¹⁰¹ Growing religious tensions and political uprisings compounded by a Russian invasion finally culminated in the fall of Isfahan in 1722.¹⁰² Nader Shah temporarily unified Persia in 1740, but his reign was marked by constant conflict. On 20th June 1747, Nader was assassinated during a campaign in Khorasan. His death marked the beginning of further instability. His heirs became embroiled in an internecine struggle, losing control of all but the northeastern areas of former Safavid territory. Karim Khan Zand seized power in western Iran in 1751, adopting the title Vakil e-Ra'aayaa (Representative of the People), but the collapse of Persia had significant ramifications for the security of the Gulf.¹⁰³

It is here that we may begin to identify the roots of the conflict between Oman and the Qawasim, which would dominate British attention during the first two decades of the nineteenth century.

Michael Pearson argues that piracy was 'endemic from the earliest times in both the Red Sea and the Gulf.'¹⁰⁴ Writing in the tenth century, Ibn Hawqal remarked that the 'people of Basra... could not venture to sail the Red Sea except with soldiers and especially artillery-men on board. The island Socotra... was regarded as a dangerous nest... at which people trembled as they passed it.'¹⁰⁵ The Safavids had failed even at the height of their influence to develop an effective navy. Their power was drawn from Turcoman tribes with little naval experience.¹⁰⁶ Initially, they recruited Arab vassals

¹⁰⁰ See Willem Floor and Patrick Clawson, 'Safavid Iran's Search for Silver and Gold', *International Journal of Middle East Studies*, 32:3 (2001), 345–68.

¹⁰¹ Michael Eppel, *A People Without a State: The Kurds from the Rise of Islam to the Dawn of Nationalism* (Austin: University of Texas Press, 2016), p. 37.

¹⁰² See Willem Floor, *The Afghan Occupation of Safavid Persia, 1721-1729* (Leuven: Peeters Publishers & Booksellers, 1998), Rudi Matthee, 'Safavid Iran from Shah Safi to Shah Soltan Hoseyn: Stability and Stasis', in *The Safavid World*, ed. by Rudi Matthee (London: Routledge, 2022), pp. 144-63 and Andrew J. Newman, *Safavid Iran: Rebirth of a Persian Empire* (New York: I.B. Tauris, 2009), pp. 104-16.

¹⁰³ Potts, Daniel T. Potts, *Nomadism in Iran: From Antiquity to the Modern Era* (Oxford: Oxford University Press, 2014), pp. 261-263.

¹⁰⁴ Michael Pearson, *The Indian Ocean* (New York: Routledge, 2003), p. 56, see also Abdul Sheriff, *Dhow Cultures of the Indian Ocean: Cosmopolitanism, Commerce and Islam* (New York: Columbia University Press, 2010).

¹⁰⁵ Marmaduke William Pickthall and Muhammad Asad, *Islamic Culture: Volume 7* (Hyderabad: Islamic Culture Board, 1933), pp. 554-555. See also Richard Hodges and David Whitehouse, *Mohammed, Charlemagne & the Origins of Europe* (Ithaca: Cornell University Press, 1983), p. 149.

¹⁰⁶ Kaushik Roy, *Military Transition in Early Modern Asia, 1400-1750: Cavalry, Guns, Government and Ships* (London: Bloomsbury, 2014), p. 138.

to provide ships and sailors from their mercantile fleets. This weakness was a significant factor in their courting European support. The Safavids had granted the East Indian Company (E.I.C.) privileges under an agreement that their vessels would be at their disposal to protect local shipping from pirates.¹⁰⁷

Persian instability had already emboldened Oman to raid various Persian ports, including the capture of Bahrain in 1717 and the defeat of a 6,000-strong relief force in July 1718. Nader also instigated a campaign of borrowing, chartering and buying several EIC vessels.¹⁰⁸ Through their support, the E.I.C. gained an advantage over their rivals and ensured the safety of shipping from Bandar Abbas. While Nader recaptured Bahrain and invaded Oman, the power vacuum created by his death left these naval resources up for grabs. His Admiral Mulla Ali Shah established himself as the governor of Bandar Abbas and Hormuz.¹⁰⁹ He refused to pay tribute to Nader's successors and sought alliances with tribes along the lower Gulf littoral. The most significant was Rashid ibn Matar Al-Qasimi, a member of the Qawasim tribal confederacy. This union was mutually beneficial. Rashid profited from access to Mulla's navy and finances, while the latter benefitted from Qasimi manpower.¹¹⁰

After Karim acted against Mulla, the Qawasim were able to establish themselves at Lingah, assuming control over the islands of Kish, Tunb, Abu Masa and Sirri and the ports of Laft and Kang, as well as a commanding position on Qishm. The Qasimi of Lingah and Ras al-Khaimah maintained good relations, over time the former succeeded in becoming governor of Lingah, ruling on behalf of the

¹⁰⁷ Rudi Mathee, 'Suspicion, Fear, and Admiration: Pre-Nineteenth Century Iranian Views of the English and the Russians', in *Iran and the Surrounding World*, ed. by Nikki R. Keddie and Rudi Mathee (Seattle: University of Washington Press, 2002), pp. 121-45 (p. 124).

¹⁰⁸ See Michael Axworthy, *Crisis, Collapse, Militarism and Civil War: The History and Historiography of 18th Century Iran* (Oxford: Oxford University Press, 2018), p. 138, Peter Good, 'The East India Company and the foundation of Persian Naval Power in the Gulf under Nader Shah, 1734-47', in *The Dutch and English East India Companies: Diplomacy, Trade and Violence in Early Modern Asia*, ed. by Adam Clulow and Tristan Mostert (Amsterdam: Amsterdam University Press, 2018), pp. 211-36 and Floor, Willem, 'The Iranian Navy in the Gulf during the Eighteenth Century', *Iranian Studies*, 20:1 (1987), 31-53.

¹⁰⁹ Pirouz Mojtahed-Zadeh, *Maritime Political Geography: The Persian Gulf Islands of Tunbs and Abu Musa* (Boca Raton: Universal-Publishers, 2015), p.53.

¹¹⁰ Hamad bin Isa Al Khalifa, *First Light: Modern Bahrain and its Heritage* (London: Routledge, 1994), p. 30 and Davies, *Blood-Red Arab Flag*, p. 175.

central Qajar government.¹¹¹ Under the pretence of visiting his daughter in 1751, Rashid also demanded Mulla hand over his vessels to facilitate the continued expansion of Qasimi interests.¹¹² Divested of his ships, he was eventually ousted from Bandar Abbas, disappearing altogether in the mid-1760s whilst Rashid replaced his brother as the Sheikh of Ras a-Khaimah.¹¹³ Rashid's exploitation of Persian weakness established the Qawasim as a significant force in the Straits of Hormuz with a sizable fleet to reinforce their interests.

Through these conquests, the Qawasim commanded a significant strategic point on the Gulf coast. As Mubarak Al-Otabi notes, this allowed them to play 'an important role in the region's affairs.' Their livelihood was mostly centred around fishing and pearl diving. The group effectively monopolised the pearl trade to Bombay during this early period and were significant players inside Western Indian trade networks.¹¹⁴ They were the dominant power along the lower Gulf littoral, which placed them at odds with other powers vying for control of the Persian Gulf. Rashid's rise coincided with the rise of the Al Bu Said in Oman. Persia had occupied Oman in 1742, but after Nader's death, Ahmad bin Said Al-Busaidi undermined the remaining Iranian garrison by defaulting on his payments. He had managed to negotiate a settlement with the Iranian general Tariq Khan to retain possession of Sohar and Barka in return for tribute. After inviting the Iranians to a banquet at Barka in 1747, 'the drum of the fort was sounded' and the crier proclaimed that any 'who has a grudge against the Persians may now take his revenge.'¹¹⁵

¹¹¹ Mojtahed-Zadeh, *Maritime Political Geography*, pp. 53-54.

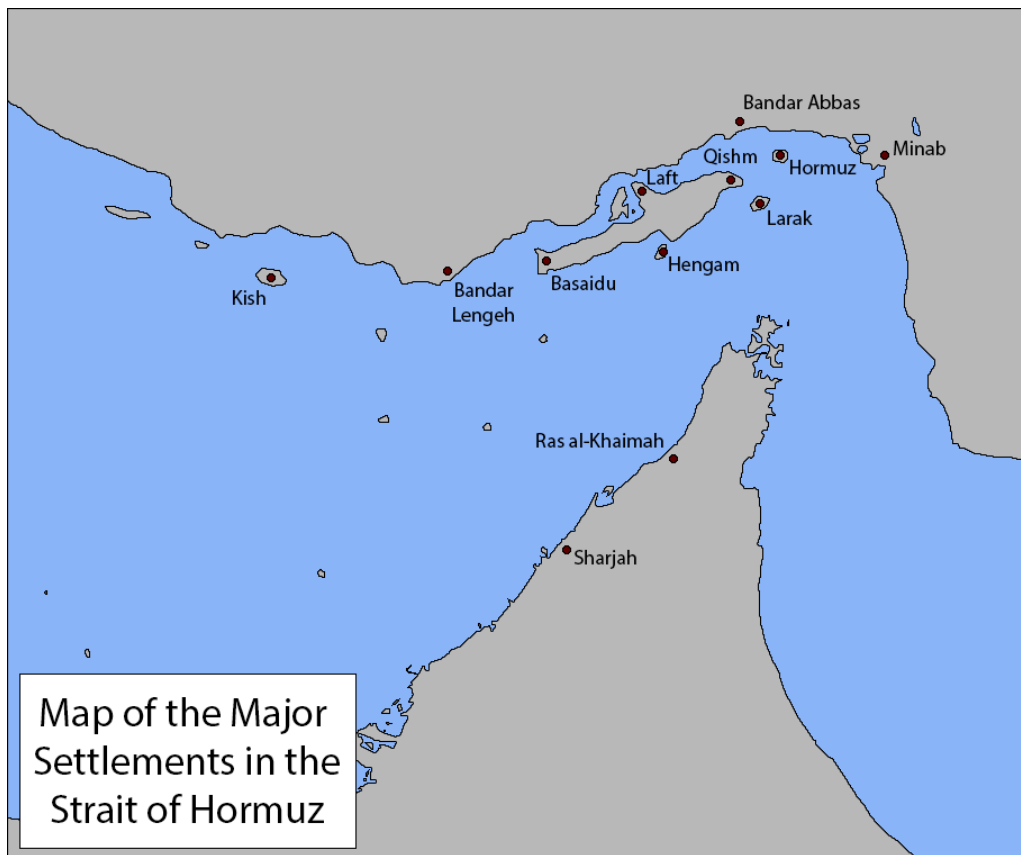
¹¹² Donald Hawley, *The Trucial States* (New York: Allen & Unwin, 1971), p. 93.

¹¹³ Davies, *Blood-Red Arab Flag*, p. 175.

¹¹⁴ Mubarak Al-Otabi, 'The Qawasim and British Control of the Arabian Gulf' (unpublished doctoral dissertation, University of Salford, 1989), pp. 25-26.

¹¹⁵ Ibn Raziq, *History of the Imams and Seyyids of 'Oman*, pp. 153-4

Map 2.0 – Major Settlements of the Strait of Hormuz



Ahmad's reign officially ended the Yaruba dynasty, but more significantly he was an active merchant who encouraged his subjects to trade outside of Oman. Despite his successes, Ahmad could not entirely heal the fractures of the Yaruba civil war. Only Ahmad's son, Said bin Ahmad, was elected to the Imamate after him. His successors instead styled themselves as *Sayyid* (lord), a secular title. They distanced themselves further from Ibadi traditions by transferring the capital from Rustaq in the interior to the growing trading centre of Muscat. This had two effects: Firstly, the traditionally tense relationship between the coast and interior was reconstituted. Second, the importance of Muscat as a regional entrepot increased as trade formed the financial power base of the Al Bu Said.¹¹⁶

¹¹⁶ Beatrice Nicolini, 'Re-reading the Role of Oman Within Its International Trade Relations: From the Sixteenth Through to the Nineteenth Centuries', in *Regionalising Oman: Political, Economic and Social Dynamics*, ed. by Steffen Weppel (New York: Springer, 2013), pp. 149-57 (p. 151).

The fortunes of Oman were intimately tied to the prosperity of Muscat, while Ras al-Khaimah's was constructed upon the commanding position they had established at the mouth of the Gulf. Omani commercial expansion and geographical proximity inevitably drew the pair into a rivalry. Early in Ahmad's reign, Rashid's predecessor Ramha attempted to march on Sohar. Ahmad retaliated, but by 1763 he agreed to consider the port of Ras al-Khaimah independent from his authority.¹¹⁷ Ahmad's descendants followed in his footsteps by expanding their trade with India, East Africa and the Persian Gulf. Sultan bin Ahmad obtained a customs lease over Bandar Abbas, along with the islands of Hormuz, Qishm, Hengam and Minab. By 1798, his authority also expanded to Gwadar and Chabahar on the Makran coast, opening the trade markets of southern Iran and providing Oman control over the Strait of Hormuz.¹¹⁸

Qasimi foreign policy after the 1760s was dominated by conflict with the Banu Ma'in of Qishm, who had acquired Bandar Abbas, Larak and Hormuz, but they were now preoccupied with Oman.¹¹⁹ Despite a temporary period of cooperation to resist Karim Khan Zand's pretension over the lower Gulf, the second half of the eighteenth century was defined by a growing challenge for dominance between Oman, the Qawasim and later the 'Utubs of Bahrain.¹²⁰ This was the backdrop against which the prelude to Britain's entry into the region would be played out. The violence which erupted from these rivalries informed British perceptions of the Gulf, but did those involved view these actions as 'piracy?'

In Trucial Arabia, activities later defined as 'piracy' were not linguistically separated from other forms of general maritime violence. War and plunder 'were ineluctable facts of life upon the waters of the Gulf' and had been for many centuries. As early as the ninth century, Imam Ghassan bin Abdulla of Oman engaged in countermeasures in response to attacks on Sindi trading vessels.¹²¹ No

¹¹⁷ Hawley, *The Trucial States*, pp. 87-88.

¹¹⁸ Majid Al-Khalili, *Oman's Foreign Policy: Foundations and Practice* (Miami: Florida International University Press, 2005), p. 11.

¹¹⁹ Davies, *Blood-Red Arab Flag*, p. 175.

¹²⁰ Hawley, *The Trucial States*, p. 94.

¹²¹ Davies, *Blood-Red Arab Flag*, p. 252.

word in Arabic existed that conveyed any comparable legal connotations. While the region had customary rules about fishing and salvage and formal religious law regulating commercial transactions and contracts, Patricia Risso notes that piracy 'was not linguistically distinguished as explicitly illegal.'¹²² Despite a wide vocabulary for violence within a war or outside of it, the closest approximation available to privateering is plunder within the context of jihad.¹²³

Ibn Raziq and Ibn Battuta both use terminology to describe raiders as 'rabble' or 'scoundrels' (*awbash*).¹²⁴ Although both descriptions may infer immorality, neither inferred explicit illegality. Where Ruzayq does provide a value judgement is in his specific terminology when distinguishing between the actions of his Omani compatriots and their enemies. He used phrases related to plunder and torment when referring to Qasimi attacks, whilst describing those enacted by Oman as raiding and conquest. There were similarities between maritime violence and the role of plunder and violence within Bedouin society, which was punctuated by raiding. 'Raiding and its allied pursuits' represented what Charles Davies describes as a 'self-justifying socio-economic imperative' informed by a formulaic tribal reaction to competitive conditions. Raiding helped relieve the difficulties imposed by the physical environment and was normally directed against other tribes or merchants, travellers and caravans passing through loosely defined territories.¹²⁵

Assuming possession of stray camels or 'surreptitious camel-lifting' occurred on a small scale in peacetime, but the accumulation of minor frictions placed pressure on rulers to declare a formal war. Mutual raids (*ghazw*) would ensue, encouraging the capture of more expensive resources like horses, weapons and tents. Bloodshed and the taking of prisoners were reserved for the final stage when a tribe moved into the territory of its enemy until both sides grew tired of the conflict and sued for peace.¹²⁶ However, there were some profound differences. As Davies notes, sea power did

¹²² Risso, 'Cross-Cultural Perceptions of Piracy', pp. 300-2.

¹²³ *Ibid.*, p. 300.

¹²⁴ R.B. Serjeant, 'Omani Naval Activities off the Southern Arabian Coast in the Late 11th/17th Century, from Yemeni Chronicles', *Journal of Oman Studies*, 6:1 (1983), 77-89 (p. 85).

¹²⁵ Davies, *Blood-Red Arab Flag*, pp. 262-4.

¹²⁶ *Ibid.*

not 'belong to uniform tribes' but was the 'attribute of mixed ports and groupings, proto-states.'¹²⁷

The interior and coast were two distinct worlds, though he concludes that it is not 'entirely inappropriate' to assume that some individuals who set out to cruise were informed by these values. Patterns of maritime violence often followed a similar paradigm of sequential escalation between competing ports and proto-states.¹²⁸

Francis Warden believed Oman was the primary cause of regional piracy. Supporting Muscat, he argued, meant Britain would 'be the means of perpetrating a petty warfare in the Gulph', which would inevitably be 'converted into piratical depredations.' Although he failed to convince his colleagues, Warden's observations highlight the influence the Omani-Qasimi conflict had on episodes of maritime violence. Throughout this period, Oman and the Qawasim were in a state of low-level undeclared war, sometimes clashing on land, while also harassing each other's shipping. The Qawasim pursued claims in the Musandam and the Straits of Hormuz, while Muscat pursued old claims over Qasimi territory.

Despite later claims, this conflict over crucial Gulf trade routes seemed to share much more in common with legitimate warfare than piracy. Assaults on merchant shipping were common during European conflicts and the behaviour of the Qawasim before 1797-1820 appears to have reflected these recognised norms.¹²⁹ Examination of the data during the period of the Qawasim's alleged piracies reveals only twelve captured vessels were British, while twenty-three originated from Muscat itself and fourteen from ports nominally affiliated with Oman.¹³⁰ Even within the British archives, Oman was the principal victim. Peaks and troughs in Qasimi activity largely coincided with their intermittent conflicts and fluctuations in Muscat's strength. The question we must therefore

¹²⁷ Ibid, p. 266.

¹²⁸ Ibid.

¹²⁹ Douglas Hamilton, 'Rivalry, War, and Imperial Reform in the 18th-Century Caribbean', in *The Caribbean: A History of the Region and Its People*, ed. by Stephan Palmié and Francisco A. Scarano (Chicago: University of Chicago Press, 2011), pp. 262-72 (p. 264).

¹³⁰ See Table 1 and 2 in Davies, *Blood-Red Arab Flag*, pp. 167-170 for an in-depth statistical examination of reports of Qasimi attacks.

ask ourselves is why did Britain distinguish between the actions of Muscat and the 'piracies' of Ras al-Khaimah?

2.2 - British India and the Anglo-Omani Alliance

The outbreak of the Seven Years' War had renewed the conflict between Britain and France in India, which was a disaster for the latter's interests in the subcontinent. The Franco-Mughal alliance suffered a severe blow when Britain defeated the Nawab of Bengal at the Battle of Plassey and the capture of Chandernagar from France in 1757. These defeats led to a total collapse of French power in India and the establishment of British pre-eminence. The newly installed Nawab, Mir Jafar, provided the E.I.C. with a pliable Indian ally and the revenues of Bengal could now be easily diverted towards British interests.¹³¹ After Plassey, David Veevers notes that the E.I.C. could draw on 'considerable resources, support and alliances' commanded by their position as a 'deeply embedded, legitimate political force.' This represented the zenith of a century-long dynamic where Company interests were expanded from existing political and economic frameworks. Veevers describes this as a 'parasitical growth' from within the old Mughal political infrastructure, 'feeding off its strength and emerging almost unassailable.'¹³²

After 1765, territorial possessions and dependencies rapidly expanded. By 1805, the British dominated the coastline between Ceylon and Bengal and the Ganges Basin. The Madras Presidency also expanded from Cochin to Goa. The growing importance of the subcontinent meant that potential threats along its periphery were of increasing concern. Britain's low interest in the Gulf before the 1760s was due to Dutch competition not being viewed as an important threat. Their

¹³¹ Richard Gott, *Britain's Empire: Resistance, Repression and Revolt* (London: Verso, 2012), pp. 39-48.

¹³² David Veevers, *The Origins of the British Empire in Asia, 1600-1750* (Cambridge: Cambridge University Press, 2020), pp. 268-9.

subsequent decline meant only the French posed a serious risk to India. After the Dutch departed, the British were granted permission to establish themselves at Bushehr (which they named Bushire) where they established a residency. The Resident was subordinated to the Agent and Council at Basra until 1778 when they were themselves reduced to a residency. From this point on, the Resident reported directly to Bombay, although where appropriate they also corresponded with Calcutta or London.

Although the British emerged largely victorious, the Anglo-French struggle was not over. As Maya Jasanoff notes, rather than putting an end to their rivalry, they opened a new chapter signifying a 'turn toward territorial gain and, with it, direct rule over manifestly foreign subjects.' Whilst the Indian Ocean was now marked as a site of imperial desire, British conquests and foreign policy were largely informed as a response to the initiatives of other powers, including in Trucial Arabia.¹³³ For two hundred years, England's interactions with the Gulf were largely confined to Persian politics. By the 1790s, their interest in Trucial Arabia was established by growing concerns about a French invasion. Napoleon's expedition to Egypt in 1798 deprived the British of their Red Sea trade route.¹³⁴ More alarmingly, the British agent in Aden intercepted a letter from Napoleon addressed to Tipu Sultan of Mysore informing of his arrival and 'desire to deliver you from the yoke of England.'¹³⁵ Tipu had also transmitted a proposal to the Directory at Paris for an alliance 'to obtain such an accession of force as, joined to mine, may enable me to attack and annihilate forever our common enemies in Asia.'¹³⁶ Worryingly for British officials, Bonaparte had also requested Tipu should 'inform me by way of Muscat and Mocha as to your political situation' and pledged his support to Oman if they would stand against the British. While the credibility of this threat is debatable, anxieties

¹³³ Maya Jasanoff, *Edge of Empire: Lives, Culture, and Conquest in the East, 1750-1850* (Westminster, MD: Alfred A. Knopf, 2005), p. 22.

¹³⁴ Chelsi Mueller, *The Origins of the Arab-Iranian Conflict: Nationalism and Sovereignty in the Gulf Between the World Wars* (Cambridge: Cambridge University Press, 2020), p. 17.

¹³⁵ Cited in Sheppard, John G., *A Lecture on the History of India*, (London: Bell & Daldy, 1858), p.47.

¹³⁶ Cited in Archibald Alison, *History of Europe from the commencement of the French Revolution*, 7 (Paris: Baudry's European Library, 1841), p. 50.

surrounding the establishment of a base of operations in Oman were not entirely unmeritorious. Britain had protested the presence of five French prisoners of war who stopped at Muscat on their way home from India.¹³⁷ Oman also maintained an agent at Mangalore and in 1786 diplomatic representatives of Tipu prepared a detailed report on Muscati trade.¹³⁸ French interests developed from around 1785 when the Basra Consul, Jean-François Rousseau, contemplated establishing a mail packet route between Muscat and Basra.

By 1796, it had become apparent that the French were planning to send a representative to Muscat. British authorities feared this would provide France with a base for their ships to attack British Indian trade.¹³⁹ Before the 1790s, Anglo-Omani relations were relatively sporadic. In 1624, Omani merchants did business with Company merchants in India and the pair struck up an accord in 1646, which granted Britain trading privileges in Sohar. Subsequent efforts to set up a factory were unsuccessful, meaning Oman had remained largely inconsequential to British interests.¹⁴⁰ The combined threat of an alliance between France, Mysore and Oman demanded a response. Mirza Mahdi Khan was dispatched to secure an agreement with Sultan bin Ahmad, which was ratified and expanded upon by John Malcolm in 1800. The Treaty of Friendship (1798) is significant because it officially marked Trucial Arabia's tentative integration into the imperial network. As Doreen Massey notes, there are 'always connections *yet to be* made, juxtapositions yet to flower into interaction, or not, potential links which may never be established. Loose ends and ongoing stories.'¹⁴¹

What was previously a fleeting connection was now solidified in response to French pretensions. Article III forbade the French from constructing a factory at Muscat or Bandar Abbas 'whilst warfare shall continue,' Article IV obliged the Sultan to dismiss his French doctor and Article V barred entry

¹³⁷ Riso, 'Cross-Cultural Perceptions of Piracy', p. 150.

¹³⁸ Ibid, p. 103.

¹³⁹ Jeremy Jones and Nicholas Ridout, *Oman, Culture and Diplomacy* (Edinburgh: Edinburgh University Press, 2013), pp. 86-87.

¹⁴⁰ M. Reda Bhacker, *Trade and Empire in Muscat and Zanzibar: The Roots of British Domination* (London: Routledge, 1994), pp. 31-32.

¹⁴¹ Massey, p. 107.

to French vessels to Muscat on any occasion a British vessel was present. Article II of the amendment provided conditions for the deployment of a British envoy to prevent any interruption in the 'existing harmony' and 'create misunderstanding.'¹⁴² Although British motivations were made explicit, Sultan's are less clear. Commercial considerations likely motivated his decision. Around this period, Sultan attempted to expand Omani possessions in the Gulf. He had already overthrown the Bani Ma'in of Qishm and Hormuz, which secured him the lease of Bandar Abbas and its dependencies that included Hanjam in 1794. By 1799, he also conquered Kharag and – unsuccessfully – occupied Bahrain on two separate occasions in 1800 and 1802.¹⁴³ The treaty was beneficial because it opened new markets for Omani coffee and pearl exports, tariffs for the rent of their docks, the expansion of their presence in the Gulf market and their navy through access to Indian wood exports.¹⁴⁴

It is also reasonable to assume that he perceived the British as a far more significant political and economic force than the French. By 1800, Napoleon had left Egypt and Tipu Sultan was killed during the Fourth Anglo-Mysore War. Whatever pretensions Sultan may have held previously must have evaporated entirely by the time Malcolm arrived. Despite their initial willingness to entertain an alliance, it is also worth noting that Oman continued to express their displeasure over attacks against their shipping by French corsairs. During negotiations, Oman had repeated a request for compensation for the seizure of the *Salihi*, but only received a modest vessel in return, which Said bin Ahmad complained was not worth a quarter of the former nor the value of cargo and lives lost.¹⁴⁵ It is somewhat ironic that it was an incident of French piracy, not Qasimi, that contributed to lingering animosities that facilitated Britain's entry into Trucial Arabian politics.

Crucially, one of the most significant consequences of Britain's decision to align with Oman was that it may have inadvertently made them the enemies of the Qawasim. As Annegret Nippa and Peter

¹⁴² See Appendix - Treaty of Friendship, 12th October 1798 (Arabic Translation).

¹⁴³ Lorimer, *Gazetteer of the Persian Gulf*, pp. 421-3.

¹⁴⁴ Hubert Moyse-Bartlett, *The Pirates of Trucial Oman* (London: McDonald, 1966), pp. 20-26.

¹⁴⁵ Patricia Risso, *Oman and Muscat: An Early Modern History* (London: Routledge, 1986), pp. 141-2.

Herbstreuth note, their alliance 'made the English the friends of the Qawasim's enemies and triggered a decades-long series of plundering campaigns at sea.'¹⁴⁶ The first recorded attacks against the *Bassein* and HCC *Viper* (1797) coincided with the resumption of hostilities between Muscat and Ras al-Khaimah though this was not their first clash.¹⁴⁷ After seizing Basidu in 1727, the Qawasim had stifled Company trade at Bandar Abbas leading to a bombardment and return of the 'share of the customs due.'¹⁴⁸ In 1759, they launched an assault on the British Agency at Bandar Abbas, wounding several employees. Later in 1778, they also captured a Bombay Marine vessel, which they held for a ransom of 4,000 rupees.¹⁴⁹

Despite this, the Basra Resident, Samuel Manesty, remained well-disposed toward the Qawasim.¹⁵⁰ This goodwill appears to have been reciprocated, a letter sent by Saqr bin Rashid made his position clear. He declared that 'when my cruiser meets the vessel of my friends such as those belonging to you, to the Arabs in alliance with me, and to the Basra Government, they behave to them with amity.'¹⁵¹ In another letter, Saqr also declared Oman was his sole enemy. Yet, Britain's openly declared friendship with Oman must have caused them to be viewed with cautious hostility. Had the assault against the *Bassein*, which authorities in Bombay regarded as an 'accidental stoppage and trifling detention,' remained an isolated case, this pattern may have continued.¹⁵² Instead, attacks increasingly escalated with assaults on the HCC *Viper* in 1797, *Trimmer* and *Shannon* in 1804, *Darya Daulat* and HCC *Sylph* in 1808 and *Minerva* in 1809.

Whilst Britain's allegiance undoubtedly afforded Oman a degree of goodwill that was not extended to the Qawasim, this was hardly exclusive. Although Mignan described Rahmah ibn Jabir as 'the most successful and most generally tolerated pirate that... ever infested any sea,' he was able to escape

¹⁴⁶ Annegret Nippa and Peter Herbstreuth, *Along the Gulf: From Basra to Muscat*, (Berlin: Verlag Hans Schiler, 2006), p. 163.

¹⁴⁷ Lorimer, *Gazetteer of the Persian Gulf*, p. 422.

¹⁴⁸ Ibid, p.631.

¹⁴⁹ Hawley, *The Trucial States*, pp. 93-4.

¹⁵⁰ Davies, *Blood-Red Arab Flag*, p. 94.

¹⁵¹ Cited in Al-Qasimi, *The Myth of Arab Piracy*, p. 35.

¹⁵² Cited in Davies, *Blood-Red Arab Flag*, p. 92.

punishment 'for he was too knowing a fellow to insult the British flag.'¹⁵³ Rahmah was an agile politician and shrewd opportunist and his allegiances shifted erratically. While the Qawasim relied heavily on Wahhabi patronage, he was careful to manoeuvre himself within the shifting landscape. He avoided offending the British by presenting an enduring willingness to acquiesce to their demands. Samuel Hennell remarked that the 'armament that proceeded [in 1809] did not attack Khor Hassan, since... he had always respected the British pass and colours.'¹⁵⁴

Although this highlights British hypocrisy, given their later justifications against the Qawasim, it proves that there was nothing inevitable about the expeditions against Ras al-Khaimah. The British were willing to tolerate 'piracy' so long as it was not directed at themselves. What distinguished the Qawasim was their willingness – or carelessness – to attack British ships. This was reinforced by a letter to Rahmah, which stated 'I have nothing to do with your quarrels nor will that be a source of displeasure to me; so long as you do not molest English vessels or English property or anybody belonging to the English.'¹⁵⁵ Had the Qawasim deployed similar restraints to their activities, they may have escaped British attention.

Attacks on Omani ships appear to have spilt over into assault on British vessels and escalated after they officially declared their allegiance. As Jeremy Jones and Nicholas Ridout note, just as Britain established a presence in Trucial Arabia, the Qawasim emerged as 'a threat to British interests while continuing to pose commercial and political challenges to the Omanis as well.'¹⁵⁶ Britain's dominance of India paved the way for further penetration of the subcontinent. Their growing interest in Trucial Arabia developed as a means of preserving and protecting the route to India. As Rosemarie Zahlan concludes, it was the convergence of Anglo-French rivalry with the ongoing conflict between Oman

¹⁵³ Robert Mignan, *A Winter Journey Through Russia, The Caucasian Alps And Georgia Thence Across Mount Zagros, By The Pass Of Xenophon And The Ten Thousand Greeks, Into Koordistaun*, 2 (London: R. Bentley, 1839), p. 197

¹⁵⁴ *Ibid*, p. 521

¹⁵⁵ Exeter, University of Exeter's Arab World Documentation Unit (UEAWDU), Bombay Diaries, SP 232/1808/5838-5839, Smith to Rahmah bin Jauber, 14 April 1808.

¹⁵⁶ Jones and Ridout, *Oman, Culture and Diplomacy*, p. 92.

and the Qawasim that would leave a 'strong imprint on the Gulf region for the next two hundred years.'¹⁵⁷

Although the region had endured almost a century of political upheaval, the blame for the eruption of maritime violence was not solely the Qawasim's. Conflict was often endemic in the absence of a strong power. The Omani-Qasimi conflict was played out in a power vacuum that had consumed regional trade. What differentiated Ras al-Khaimah from her contemporary was that they had cultivated the goodwill of Britain and the Qawasim had not. Assaults against British shipping, even in the context of legitimate warfare with Oman, were never likely to have been unpunished. As Donald Hawley notes, had the Qawasim 'not crossed swords with the rising power of Britain' it is unlikely they would have been branded as pirates and 'their fame might have rested on more peaceful foundations.'¹⁵⁸

2.3 - A 'Determined Band of Bloody-Thirsty Pirates'

To European chroniclers, there was little doubt that the Qawasim were pirates who had indiscriminately targeted innocent British vessels. One of the foundational principles of Al-Qasimi's 'Big Lie' is that British officials manufactured false accounts or deliberately misattributed attacks on British shipping to justify their accusations of piracy. The *Bombay Gazette* wrote that after boarding the *Minerva*, Captain Hopwood was 'literally cut to pieces.' His compatriots were slaughtered, though this was 'nothing to the distress of the three ladies who were on board' which 'must excite the strongest emotions of pity in every feeling and delicate mind.'¹⁵⁹ The crew of the *Fly* recalled that they were set upon by 'these barbarians, ignorant of the laws of nations, and insensible to those of

¹⁵⁷ Rosemarie Said Zahlan, *The Creation of Qatar* (New York: Routledge, 1979), p. 29.

¹⁵⁸ Hawley, *The Trucial States*, p. 90.

¹⁵⁹ Cited in E. Samuel, *The Asiatic Annual Register*, 11 (London: T. Cadell and W. Davies, 1811), pp. 146-7

humanity.¹⁶⁰ William Heude described them as ‘miserable, yet ferocious banditti’ whose ‘wanton barbarous cruelty has set them beyond the pale of civilised intercourse, of mutual trust, and sacred confidence.’¹⁶¹ Even a servant during John Malcolm’s voyage to Persia named Khudadad stated ‘they are monsters’ and their ‘occupation is piracy, and their delight murder; and to make it worse, they give you the most pious reasons for every villainy they commit... But then, that is not so much their fault, for they are descended from a Ghoul, or monster, and they act according to their nature...’¹⁶²

In isolation, these accounts appear to confirm Al-Qasimi’s theory of a ‘Big Lie.’ However, they do not prove there was a concerted campaign of fabrication. While these accounts framed the Qawasim as brutal, they also speculated about their potential motives. Forced conversions and the killing of non-believers were popular themes among observers. A Lascar named Chadayappah lamented that he was ‘forced... to submit to the operation of circumcision’ and to marry a Muslim slave girl.¹⁶³ The *Bombay Gazette* reported that those who were fortunate enough to survive the attack on the *Minerva* were permitted to live ‘on condition of their renouncing their religion’ whilst thirty to forty lascars were executed.¹⁶⁴ A letter from the famous missionary Henry Martyn from Bombay in 1811 alleged that the ‘miscreant Arabs’ took all they met with and murdered ‘every Christian.’¹⁶⁵ Lieutenant Thomas Lumsden also recounted that it was the practice of the Qawasim to never consider a capture complete until ‘every man on board was murdered.’ He alleged they would offer the ‘lives of innocent men as an acceptable sacrifice to the Deity.’¹⁶⁶

¹⁶⁰ R.W. Loane, *Authentic Narrative of the Late Fortunate Escape of Mr R.W. Loane etc* (Bombay: Ferris, 1805), pp. 3-11.

¹⁶¹ William Heude, *A Voyage Up the Persian Gulf and a Journey Overland From India to England in 1817* (London: Longman, 1819), p. 36.

¹⁶² Cited in Richard Garnett, *The Book of Literature: A Comprehensive Anthology of the Best Literature, Ancient, Mediæval and Modern, with Biographical and Explanatory Notes*, 21-22 (1923), p. 226

¹⁶³ Cited in Davies, *Blood-Red Arab Flag*, p. 88.

¹⁶⁴ Samuel, *The Asiatic Annual Register*, pp. 146-7.

¹⁶⁵ Cited in Barbara Eaton, *Letter to Lydis: ‘Beloved Persis’*, (Penzance: Hypatia Publications, 2005), p. 164.

¹⁶⁶ Thomas Lumsden, *A Journey from Merut in India, to London: Through Arabia, Persia, Armenia, Georgia, Russia, Austria, Switzerland, and France, During the Years 1819 and 1820* (London: Black, 1822), pp. 64-65

What made these accounts so significant was the growing recognition of links between Qasimi aggressions and Wahhabi proselytism. British officials believed Qasimi piracy was 'tinged with a vivid religious hue and this element only exacerbated ideas about their cruelty.'¹⁶⁷ It is unclear precisely when Ras al-Khaimah fell under their influence, but by 1800 al-Buraimi was under Wahhabi control and their campaigns against Oman began in earnest.¹⁶⁸ The majority of Qasimi attacks were also not committed until the Wahhabis had begun to dominate Trucial Arabia. They were certainly eager to claim they were instigated into their attacks by the Wahhabis, who claimed one-fifth of their raids as tribute.¹⁶⁹

This was supported by James Silk Buckingham, who believed the primary factor was the corrupting influence of the Wahhabis. He argued that before their arrival, the Qawasim were 'so much more skilful, industrious, and faithful in their engagements' than their neighbours and were 'always preferred and constantly spoken of as the best people through the Gulf.'¹⁷⁰ For three years, 'these irreligious sailors resisted all attempts' made by 'the pen and the sword' to submit them to the doctrine of Wahhabism, but the 'force of arms, however, at length prevailed.' Following their submission, the Qawasim were called upon to abandon their 'former corrupted faith' and 'mode of living' to direct their views 'to war and conquest,' their leaders being 'easily persuaded' that God was on their side and that 'therefore the legions of hell itself could not prevail against them.'¹⁷¹

This view was by no means unanimous. Lorimer states that a 'dispassionate study of the fact, after a lapse of more than 100 years by no means confirms the extreme contemporary view that the Qawasim... were mere unwilling instruments in the hands of the Wahhabis.'¹⁷² Francis Warden also argued that whilst the Qawasim 'appeared as traders,' their 'rash and treacherous disposition was

¹⁶⁷ Suzuki, 'The Making of the Joasme Pirates', p. 92.

¹⁶⁸ Lorimer, p. 424 and Jeremy Jones and Nicholas Ridout, *A History of Modern Oman* (New York: Cambridge University Press, 2015), p. 45.

¹⁶⁹ Hawley, *The Trucial States*, p. 97.

¹⁷⁰ James Silk Buckingham, *Travels in Assyria, Media, and Persia*, 2 (London: Henry Colburn, 1829), p. 405.

¹⁷¹ *Ibid*, pp. 406-7.

¹⁷² Cited in Hawley, *The Trucial States*, p. 97.

constantly showing itself, and leading to petty wars and quarrels, both among themselves and their neighbours.¹⁷³ Despite this, he still believed that the worst of the Qasimi depredations ‘may be attributed wholly and exclusively to the instigation of the Wahhabi tribe.’¹⁷⁴ Davies notes that frustration at restricted access to markets and a desire to defend their maritime interest could ‘all at times played some part’ but they do not explain them.¹⁷⁵ He concludes that the ‘multifarious impact and influence of Wahhabism and the Saudi state, not wholly mundane, was the prime special cause of Qasimi maritime depredations... lending them their unusual extent and character.’¹⁷⁶

Table 2.0 – Affiliation of vessels captured by the Qawasim in the Persian Gulf and coast of Oman.

	1797-1809	1810-1819
Britain	6	6
India	0	1
France	1	1
Kuwait	0	3
Basra	0	2
Persia	10	7
Muscat	10	27
Other	5	8
Total	32	55

Davies, *Blood-Red Arab Flag*, pp. 167-170.

By 1808, the Wahhabis had taken more effective control, appointing Hasan bin ‘Ali and their officials to oversee the ports under Qasimi rule.¹⁷⁷ After deposing the legitimate ruler Sultan bin Saqr, they installed a puppet to initiate the next phase of attacks. Between 1797-1809, thirty-two vessels were captured and largely confined to the Lower Gulf. In the second phase, they captured fifty-five – predominately Omani vessels – where their activities spread across the Upper and Lower Gulf and the Coast of Oman (See Table 2.0).¹⁷⁸ Despite linking the attacks to Wahhabi influence, the British were keen to avoid direct conflict.

¹⁷³ London, BL, India Office Records and Private Papers, IOR/R/15/1/732, p. 301, ‘Historical Sketch of the Joasmee Tribe’, 1856 <https://www.qdl.qa/en/archive/81055/vdc_100022870192.0x000090>.

¹⁷⁴ Cited in Lorimer, *Gazetteer of the Persian Gulf*, p. 660.

¹⁷⁵ Davies, *Blood-Red Arab Flag*, p. 403.

¹⁷⁶ *Ibid*, p. 251.

¹⁷⁷ Suzuki, ‘The Making of the Joasmee Pirates’, p. 91

¹⁷⁸ See Table 1, Davies, *Blood-Red Arab Flag*, p. 169.

In 1811, Charles Sealy, Commander of the *Benares*, was informed that it was 'known that the [Qawasim] are under the general protection of the Wahhabi power which is supposed to keep them in a state of unwilling subjection, however, that may be you are to cause it to be understood that the British Government have no quarrel with [the Wahhabis] but desire on the contrary to cultivate with [them] the relations of amity in the manner already communicated...'¹⁷⁹ During the first expedition in 1809, they departed after hearing of the advance of a Wahhabi relief force. After Ibrahim Pasha's invasion and the collapse of the Wahhabis, the Qawasim begged for forgiveness. After resuming his position, Sultan wrote 'the past offence occurred without my authority and sanction for as Saood had then established his supremacy over my subjects, I lost the power of restraints, and punishment. I still feel myself bound by the treaty established between us, and the sincerity of my friendship remains unchanged.'¹⁸⁰

British perceptions were undoubtedly informed by the reports of their agents, who designated them as 'pirates' capable of brutal acts. Al-Qasimi believes this was used to justify the conquest of a rival economic power that now lacked its powerful benefactor.¹⁸¹ Yet, their reputation cannot be solely attributed to British accounts alone. While the Residents in Bushire and Basra each maintained a network of contacts through the Gulf and certainly deployed their own agents, many of their opinions closely aligned with the wider mercantile community. Usually, the most immediate source of news for the Residency was common knowledge obtained through their connections to local commerce. Davies notes these merchants 'controlled the most extensive communications, and this facilitated the efficient gathering and transmission of public news, particularly when it had a bearing on trade.'¹⁸²

Throughout this period, the Qawasim earned a significant part of their reputation through their attacks on Indian merchant shipping. That they were active off the north-western coast of India is

¹⁷⁹ Exeter, UEAWDU, *Bombay Diaries*, P 371/1811/1498-1499, N.J. Hamilton to Charles Sealy, 25 March 1811.

¹⁸⁰ Cited in Suzuki, 'The Making of the Joasmee Pirates', FN. 103, p. 95.

¹⁸¹ Al-Qasimi, *The Myth of Arab Piracy*, pp. xiii-xv.

¹⁸² Davies, *Blood-Red Arab Flag*, pp. 137-8.

indisputable, as ‘the most compelling argument against the implication of local pirates is really the most self-evident: those with the greatest interest and ability to detect pirates... did not believe’ it to be the case.¹⁸³ Al-Qasimi’s central proposition is that the E.I.C. were determined to increase its share of Gulf trade by any means possible. Realising that the Qawasim presented their biggest obstacle, he argues they chose to misrepresent them as ‘pirates’ until such a time they could muster sufficient strength to conquer Ras al-Khaimah.¹⁸⁴ Yet, according to Shohei Sato, British trade in the Gulf had declined and Bombay’s interest ‘had dwindled to next to nothing.’¹⁸⁵ The vessels allegedly targeted by the Qawasim were all members of the Bombay Marine whose main duties were to convey packets or provide protection to others. By the turn of the century, Company trade had endured decades of unprofitability.¹⁸⁶

Ironically, it appears that the activities of the Qawasim were *good* for British ships. According to Buckingham, Bombay shipping benefitted from Muscat’s losses in their wars with Ras al-Khaimah, just as Oman benefitted during their neutrality in Anglo-French conflicts. Records of tonnage trading between Bombay and the Gulf suggest that other Arab shipping suffered between 1809-1819, as they were the primary targets.¹⁸⁷ Qasimi attacks appear beneficial to British shipping, as Arab shipping expanded at their expense following their occupation of Ras al-Khaimah after their second expedition.¹⁸⁸

¹⁸³ Ibid, p. 152

¹⁸⁴ Al-Qasimi, *The Myth of Arab Piracy*, p. 82.

¹⁸⁵ Shohei Sato, *Britain and the Formation of the Gulf States* (Manchester: Manchester University Press, 2016), p. 8.

¹⁸⁶ Davies, *Blood-Red Arab Flag*, p. 279.

¹⁸⁷ Buckingham, pp. 509-11.

¹⁸⁸ Stephen Ray Grummon, *The Rise and Fall of Arab Shakyhdom of Bushire: 1750-1850*, (Baltimore: John Hopkins University, 1985), pp. 178-80 and 202-5 and Charles Issawi, *The Economic History of Iran 1800-1914* (Chicago: University of Chicago Press, 1971), pp. 89-91.

Table 2.1 – Boats Plausibly Attacked by the Qawasim off the Coast of India 1808-1818

Early 1808	3
Late 1808	6 (potentially up to 20)
Early 1809	3
Total	12
First Expedition against Ras al-Khaimah 17 th September - Early December 1809	
Late 1813	5
Early 1814	c. 7
Late 1814	15
Early 1815	6
Late 1816	2
Early 1817	16
Late 1817	8
Late 1818	20
Total	79
Wahhabi's surrender to Ibrahim Pasha, September 1818	
Early 1819	0
Late 1819	0
Total	0
Second Expedition against Ras al-Khaimah, November – 22 nd December 1819	
Combined Total	91

Davies, *Blood-Red Arab Flag*, pp. 151-63 and Appendix, pp. 297-314.

Whilst the Qawasim presented little threat to British commerce, the same cannot be said of the disruption their activities caused off the Indian coast. From 1814, attacks increased significantly and although these cannot all be attributed to the Qawasim, local merchants did not doubt they were substantially involved (See Table 2.1).¹⁸⁹ A petition of thirty-six Bombay Indian merchants on 4th November 1817 highlighted the growing and increasing pressure on the Bombay government to act. 'The pirate Jasamy,' it read, 'has this year caused such depredation in sea... as has rendered your petitioners inactive to have any trade to the ports of Muscat, Cutch, Veraval, Mangrol, Porbandar, Karachi etc.' In 1809, '30 Parsee and Banyan merchants of Bombay' united to petition the Governor to demand action be taken to preserve their trade. Another petition from a Bombay merchant named Sunderjee Sewjee was also submitted in which he claimed the *Harsingar* had fallen victim to

¹⁸⁹ For a substantive analysis of attacks against Indian shipping see Appendix A, Davies, *Blood-Red Arab Flag*, pp. 297-314.

'Jasmery' pirates during these raids at a personal cost of 5,000 rupees.¹⁹⁰ Sewjee was the unfortunate victim again, as another of his ships, the *Rampasa*, was caught off Mandvi to a further loss of 3,000 rupees.¹⁹¹ Another surviving petition from Jewraz Balloo Bhatia detailed the loss of his vessel the *Rooparel* which he claimed had been attacked whilst sailing under the colours of the British government.¹⁹²

These petitions highlight that the Qawasim were beginning to cause disruption beyond the Trucial Arabian coastline and localised sites of the Omani-Qasimi conflict. Porbandar Agent C.W. Elwood noted that 'whenever it becomes known that the Qawasim are on the Sind, all mercantile intercourse with the quarter ceases.'¹⁹³ Whilst Bombay may have benefitted from identifying a single source of malfeasance to justify any expansion of a *cordon sanitaire* around India, these were not motivations shared by the mercantile community. Merchant families' interests lay in the stability of trading routes and these motivations aligned with the British, who held a vested interest in protecting these interests to maintain the stability of their Indian possessions. As Jones and Ridout highlighted, Britain's direct involvement in the Persian Gulf had previously been limited to the 'protection of its commercial assets through the security of Bombay-Basra shipping, the maintenance of local trade... and the protection of British subjects doing business in the region.'¹⁹⁴

It would not be unreasonable to conclude that these petitions not only informed British perceptions of the Qawasim but also pressured Bombay to act against them. Despite attempts by members of the Council to 'palliate their enormities' through an emphasis on the role played by Omani expansion, the fate of the Qawasim was sealed. British officials were determined to finish the job they had left unfinished after their first expedition. As Hideaki Suzuki concludes, the continuous hostility between the Qawasim and Oman and their 'visible integration' into the Wahhabi state were

¹⁹⁰ London, BL, India Office Record and Private Papers, IOR/F/4/288/6503, fols 109-10, Petition of Sunderjee Sewjee, 23 February 1809 < https://www.qdl.qa/en/archive/81055/vdc_100108632066.0x00005a>.

¹⁹¹ Ibid.

¹⁹² Cited in Davies, *Blood-Red Arab Flag*, pp. 298-9.

¹⁹³ Exeter, UEAWDU, Bombay Diaries, P 415/3788-91, C.W. Elwood to Bombay, 22 January 1814

¹⁹⁴ Jones and Ridout, *A History of Modern Oman*, pp. 42-43.

‘factors enough for British officials to use their suspicions’ of ‘piracy’ as an ‘excuse to mount naval expeditions against the Qawasim.’¹⁹⁵

From the British perspective, it was ‘a strategic imperative’ to contain activities that were posing a risk to the Indian economy.¹⁹⁶ Al-Qasimi’s accusation that the British manufactured allegations to justify the conquest of an economic rival does not correlate with the available data. What was of greater concern to authorities in Bombay was the security of Indian commerce. Their conquest of the subcontinent meant their interests were aligned with the existing mercantile communities. Protecting the pre-existing fabric of trade they had inherited was mutually beneficial. The importance of protecting the Gulf trade was based on where they fit into the existing trading patterns of their newly acquired possessions. Another significant factor was Britain's response to the activities of its major regional competitors.¹⁹⁷ Under this new phase of imperialism, British foreign policy was largely responsive and informed by perceived threats to Indian security.

The growing importance of the Gulf within these geostrategic calculations meant that the Qawasim’s activities no longer represented a minor nuisance. Rather, their attacks were now reassessed through their impact on Indian merchant shipping and the instability of an increasingly important waterway. Britain’s entry into Trucial Arabian politics was informed by its desire to protect India from French incursions. The establishment of a permanent presence in the Gulf facilitated these ends. It was through a combination of these strategic reasons that the Qawasim were designated as ‘pirates’ and ‘piracy’ became a problem worthy of eradication to justify Britain’s role as a permanent maritime peacekeeper under the General Treaty (1820). As the British launched a final assault against Ras al-Khaimah, they lay the foundations for new trajectories between Britain and Trucial Arabia and the creation of a new imperial space.

¹⁹⁵ Suzuki, 'The Making of the Joasmee Pirates', p. 94.

¹⁹⁶ Sato, pp. 8-9.

¹⁹⁷ Floor, Willem, 'The Dutch on Khark Island: A Commercial Mishap', *International Journal of Middle East Studies*, 24:3 (1992), 441-60 (p. 441).

2.4 - The General Treaty and the Slave Trade as Piracy

As the dust settled at Ras al-Khaimah, Bombay tasked William Keir Grant to find a permanent solution to the issue of Qasimi 'piracy.' The result was a series of preliminary agreements eventually amalgamated into the General Treaty on 5th February 1820.¹⁹⁸ Article I expressly confirmed the delineation between the British – who had engaged in a legal retaliatory expedition of retributive violence – and the Trucial Arabs – who had engaged in a campaign of 'plunder and piracy.' Only they were obliged to cease 'plunder and piracy by land and sea' as parties 'to this contract, for ever.' The absence of any similar obligations for the British demonstrated how different value judgements were applied to the violence enacted by themselves and the Qawasim.

The most significant clause for the development of Britain's relationship with Trucial Arabia was Article IX. The signatories were obliged to refrain from the 'carrying off of slaves... from the coast of Africa... and the transporting them in vessels, is plunder and piracy, and the friendly Arabs shall do nothing of this nature.' According to Lorimer, this clause was greatly influenced by his interpreter Captain Thompson, who became a 'distinguished Abolitionist' and 'strange to say, was accepted without demur.'¹⁹⁹ Thompson's intervention would not only influence the General Treaty but also contributed to the nature of British imperialism in Trucial Arabia. The agreement was significant because it not only framed the necessity for Britain's presence around 'piracy,' but also brought the kidnapping of slaves under the same rubric.

Although his superiors 'highly commended his conduct' and 'appreciated the humane motives that inspired his motives', they believed Grant was too lenient.²⁰⁰ Despite their dissatisfaction, the

¹⁹⁸ Lewis Hertslet, *A Complete Collection of the Treaties and Conventions and Reciprocal Regulations*, 8 (London: Butterworth, 1851), pp. 1018-21. See Appendix - The General Treaty for the Cessation of Plunder and Piracy by Land and Sea, 5th February 1820.

¹⁹⁹ Lorimer, *Gazetteer of the Persian Gulf*, p. 673.

²⁰⁰ *Ibid.*

General Treaty was a foundational moment in Britain's relationship with the region. Through its provisions, events in Trucial Arabia were informed by wider developments in European politics following the conclusion of the Napoleonic Wars. The inclusion of abolition of the slave trade on the agenda at the Congress of Vienna (1814), however, was largely due to popular pressure, not the active will of the Foreign Office. By July, Parliament had received over 800 petitions totalling as many as 1,375,000 signatures in total.²⁰¹ As Paul Kielstra notes, 'popular outrage had returned abolition to the political agenda' and Foreign Secretary Robert Stewart, Viscount Castlereagh, 'was on trial and the judges were evangelicals.'²⁰²

By the late eighteenth century, jurists argued that slavery was contrary to English law. William Blackstone argued that 'a slave or negro, the moment he lands in England, falls under the protection of the laws and with regard to all natural rights becomes *eo instant* a freeman.'²⁰³ Blackstone's position was tested in *Somerset v Stewart* (1772), where Lord Mansfield concluded that slavery was contrary to 'natural law' and that it could only be justified by 'positive law.'²⁰⁴ The emerging conflict between 'natural law' and 'positive law' erupted during Britain's efforts against the slave trade. In 1807, *The Amedie* had been carrying one hundred and five slaves from Bonny to Matanzas in Cuba, before being seized by the Vice-Admiralty Court of Tortola. *The Amedie* was captured on 21st December 1807, ten days before the Act Prohibiting Importation of Slaves (1807) was due to take effect on 1st January 1808.²⁰⁵ The captain's decision to carry the captives to Cuba due to fears that he would miss the looming deadline was ultimately the justification for the vessel's condemnation.

Although *The Amedia* was not sailing in violation of any existing prohibitions, the change of destination was crucial to its seizure and condemnation. This meant that the vessel was in violation

²⁰¹ Kielstra, *The Politics of Slave Trade Suppression in Britain and France, 1814-48: Diplomacy, Morality and Economics* (London: Macmillan, 2000), p. 31.

²⁰² Ibid, p. 32.

²⁰³ Cited in William Goodell, *Slavery and Anti-Slavery: A History of the Great Struggle in Both Hemispheres with a view of the Slavery Question in the United States* (New York: William Harned, 1852), p. 49.

²⁰⁴ Daniel J. Hulsebosch, 'Nothing But Liberty: Somerset's Case and the British Empire' and George van Cleve, 'Mansfield's Decision: Toward Human Freedom', *Law and History Review*, 24:3 (2006), 647-57 and 665-71.

²⁰⁵ Michael C. Thomsett, *Slavery and Racism in American Politics, 1776-1876* (Jefferson: McFarland & Company, 2020), p. 28.

of the earlier Slave Trade Act (1794) which prohibited American ships from participation in the international slave trade.²⁰⁶

Cuba was also a Spanish territory and subject to a British blockage on account of their allegiance to France. In addition, as Sean M. Kelley notes, although the captain was a US citizen the vessel was sailing 'under the orders of a supercargo who was a British subject.'²⁰⁷ As a result, the vessel was determined to be violating the Abolition Act (1807) which prohibited British subjects from engaging in the slave trade after 1st May 1807, although there was no evidence that the supercargo had a share in the goods or voyage.²⁰⁸ The fact that it was impossible for *The Amedie* to have made its original destination in Charleston before the deadline, a fact supported by the captain's testimony, was considered proof that it had also violated the Act Prohibiting Importation of Slaves (1807). Kelley notes it was this last reason that 'greatly expanded the legal grounds for the seizure of neutral vessels.'²⁰⁹

The Lords of Appeals in Prize Causes found they had 'an interest in preventing that traffic in which this ship was engaged', as it has been 'totally abolished in this country, and our Legislature has declared the African slave trade is contrary to the principles of justice and humanity.' They believed they were entitled to hold that *prima facie* the trade was illegal. The burden of proof lay on the claimants to demonstrate that the laws of their country entitled them to carry slaves. No claimant could apply for the 'restoration of the human beings he carried unjustly to another country for the purpose of disposing of them as slaves.'²¹⁰ These municipal judgements in Britain and the United

²⁰⁶ Ibid, p. 29.

²⁰⁷ Sean M. Kelley, 'Precedents: The "Captured Negroes" of Tortola, 1807-22', in *Liberated Africans and the Abolition of the Slave Trade, 1807-1896*, ed. by Richard Anderson and Henry B. Lovejoy (Rochester: University of Rochester Press, 2020), pp. 25-44 (p. 32).

²⁰⁸ Ibid, pp. 32-33.

²⁰⁹ Ibid, p. 33.

²¹⁰ Thomas Harman Acton, *Report of Cases Argued and Determined before the Most Noble and Right Honourable the Lords Commissioners of Appeals in Prize Causes*, ed. by George Minot, 1 (Boston: Little, 1853), pp. 250-52.

States were based on the premise that domestic law could be elevated to international law through appeals to 'natural law.'

These assumptions were increasingly challenged by positivist interpretations that represented a growing trend in international law.²¹¹ What distinguished 'positive law' from 'natural law' was that it had no moral standards, instead it used an objective, empirical standard. A rule is law, without any regard to its morality or immorality, so long as it is enacted in a 'proper way by the proper law-making authority.'²¹² A state had just as much right to legalise the slave trade as the British had to outlaw it. In 1813, Lord Stowell was forced to acknowledge that the court at Sierra Leona had overreached in its condemnation of the Swedish ship *Diana*. While he was willing to award a prize for ships carrying slaves flying flags of nations that had outlawed the practice, he was unwilling to do so where they had not. The affirmation 'that the slave trade, from motives of humanity, hath been abolished by most civilised nations' was 'unfortunately by no means correct' and that the contrary 'being notoriously the fact, that it is tolerated by some of them.' Whilst Britain had 'taken a more correct view of the subject' he believed they had no right to enforce its prohibition 'against the subject of those states which have not adopted the same opinion.'²¹³

Despite some reservations, the potential expansion of the Slave Trade Act (1807) provided an avenue for Whitehall to expand the Royal Navy's eligibility to search vessels beyond national jurisdictional boundaries. Following Napoleon's defeat, Britain emerged as the premier maritime power and was determined to extend its right of visitation to peacetime. A belligerent right to visitation was well established, but it was limited to neutral ships to determine their neutrality and search for contraband. Whilst Stowell believed the aims of the Royal Navy were admirable, they were unlawful and therefore unenforceable. Stowell noted that the 'perfect equality and entire

²¹¹ Arthur Nussbaum, *A Concise History of the Law of Nations*, (New York: Macmillan, 1961), pp. 232-234.

²¹² Cullison, Alan D., 'Morality and the Foundations of Legal Positivism', *Valparaiso University Law Review*, 20:1 (1985), 61-70 (p. 61).

²¹³ Cited in Thomas Alfred Walker, *A Manual of Public International Law* (Cambridge: Cambridge University Press, 1895), pp.62-63

independence of all distinct states' meant that all held an 'equal right to the uninterrupted use of the un-appropriated parts of the ocean for their navigation.' Nobody was justified in assuming rights contrary to international law 'merely because she means to apply them to a laudable purpose.'

Neither could they embark on a moral crusade to convert others 'by acts of unlawful force.'²¹⁴

Following the case of *The Antelope* in 1825, attempts to assert 'natural law' were superseded by the principle of international jurisprudence rooted in positive international law. This emphasised the necessity of obtaining the consent of states to acquire jurisdiction over their flagged ships.²¹⁵

Without an agreement, traffickers could easily adopt the flags of Spain, Portugal or France to continue transporting slaves. Between 1811 and 1870, an estimated 3,050,026 slaves were transported to the Americas; 771,220 by Spain or Uruguay, 2,076,488 by Portugal or Brazil, 1,421 by the Dutch, 7,949 by the U.S.A and 192,948 by the French. These estimates totalled roughly a quarter of the entire number of slaves taken from West Africa, making the post-abolitionary period the second most prolific after 1721-1810.²¹⁶ It was in pursuit of a solution to this problem that Trucial Arabia would be drawn into London's broader efforts to eradicate the Transatlantic slave trade.

If Whitehall wanted to establish universal jurisdiction for search and seizure in peacetime, it needed to establish a new norm within international law that required the approval of its rivals. The French were keen to reopen their trade, while Spain and Portugal were suspicious of British motives. They argued Britain had kept their colonies well stocked with slaves during the war. The demands were viewed as a ploy to maintain British naval supremacy by granting them a pretext for boarding any vessel they desired in the Atlantic. It was against this backdrop that Castlereagh was instructed to pursue abolition at the Congress of Vienna. Although the French, Spanish and Portuguese were

²¹⁴ Ibid.

²¹⁵ Jean Allain, *The Law and Slavery: Prohibiting Human Exploitation* (Leiden: Brill Nijhoff, 2015), pp. 60-61.

²¹⁶ *Voyages: The Trans-Atlantic Slave Trade Database*, <<http://www.slavevoyages.org/estimates/usp9olbf>>, [accessed February 4th, 2019].

firmly opposed, Britain had the support of Russia and the Pope.²¹⁷ The Committee of the Eight was formed to deal with the slave trade and on 8th February issued a joint *démarche*:

*'That the Slave Trade amounts to such an offence, is not virtually acknowledged in the most solemn manner, by all the Great Powers represented in the Congress of Vienna; for what is the language of that solemn declaration to which we have already referred? It declares: that the traffic known under the name of the African Slave Trade, has been regarded by the just and enlightened men of all ages as repugnant to the principles of humanity and universal morality... [it proclaims] in the names of all the Sovereigns, their desire to put an end to a scourge which has long desolated Africa, degraded Europe, and afflicted humanity.'*²¹⁸

The declaration was only a symbolic victory. Prohibition would be practically impossible without some sort of mechanism for its enforcement. It was what Suzanne Miers calls a 'hesitant first step in the direction of the present international human rights movement' and the beginning of a process where Europeans viewed human welfare as a matter of international concern.²¹⁹ Following the joint declaration, Castlereagh convened a conference of the French, Austrian, Russian and Prussian ambassadors in 1816. He hoped to establish a permanent bureau that would collect information on the slave trade, negotiate with recalcitrant powers and help form a 'Christian league' to suppress the traffic. Had he succeeded, the future of abolition could have looked very difficult, but his efforts were dashed by French resistance.²²⁰ Britain's inability to secure more concrete concessions left its anti-slavery campaign in an uncertain position.

As a general treaty against the slave trade was not forthcoming, Britain embarked on the negotiation of bilateral agreements. These agreements gave the signatories mutual rights to board ships

²¹⁷ Mark Jarrett, *The Congress of Vienna and its Legacy: War and Great Power Diplomacy After Napoleon* (London: I.B. Tauris, 2014), pp. 145-6.

²¹⁸ Abraham John Valpy, *The Pamphleteer*, 7:13 (London: A.J. Valpy, 1816), p. 325.

²¹⁹ Suzanne Miers, *Slavery in the Twentieth Century: The Evolution of a Global Problem* (Lanham: AltaMira Press, 2003), p. 15.

²²⁰ *Ibid.*

suspected of transporting slaves and to verify the legitimacy of their ensign. Those searched and found to carry slaves would be liable to stand trial before a mixed commission. It was much easier to convince nations individually than to secure a universal accord where slavery could be leveraged to gain concessions elsewhere. Another solution was the re-categorisation of the slave trade as piracy, just as campaigns against the Qawasim and Barbary corsairs of North Africa reached their climaxes. Britain proposed at Aix-la-Chappelle that the European Concert should declare the slave trade piracy under the law of nations. Though they were unable to win broad support on the issue, they were not deterred.

Labelling slave traders *hostis humani generis* (enemy of mankind) was motivated by the idea that their actions denied the humanity of those they abused and that their punishment should match the severity of their crimes.²²¹ This designation brought with it several advantages. Firstly, suspected pirates were eligible for search and seizure in peacetime. This meant Britain could bypass securing specific agreements to board vessels. Secondly, every country had the jurisdiction to punish any individuals accused of committing piracy, though they were not obligated to do so. Finally, the traditional characterisation of *hostis humani generis* lent itself naturally towards an extension to the slave trade, which was beginning to be viewed as an offence against humanity.²²²

The attack on Ras al-Khaimah presented an opportunity to satisfy multiple objectives, placing Britain in a position of strength to shape a new order in the Gulf. Both slavery and piracy had converged in a relationship that facilitated London's desire to circumvent the obstacles of positive jurisprudence and a justification for Trucial Arabia's implementation into a *cordon sanitaire* around the Indian periphery. Although it was ostensibly designed to solve the problem of Gulf 'piracy,' Article IX provided the first official recognition of slave trading as piracy. Although the Treaty made no mention of a specific punishment, the implication was clear. Article II declared that any individual

²²¹ Martinez, *The Slave Trade and the Origins of International Human Rights Law*, pp. 135-6.

²²² *Ibid*, pp. 123-4.

who engaged in 'the way of plunder and piracy and not of acknowledged war' was to be accounted as 'an enemy of all mankind and shall be held to have forfeited both life and goods.'²²³ As Guillemette Crouzet notes, 'careful study of this abolitionist moment in the Gulf suggests that the space of the Gulf can be conceptualised as a laboratory for the later British action against slavery.' Britain's intervention illustrated her emergence as a 'world power and the development of a messianic interventionism.'²²⁴

Britain's policies against slave trafficking were at least partially formed in the Gulf, informing the expansion of global abolition, which emerged during the nineteenth century. The Marquis of Lansdown was keen to stress the importance of the General Treaty to global abolition during a parliamentary debate over the Slave Trade Piracy Bill (1824). He felt it 'to be an act of duty to a most worthy individual, to mention, that the principle of piracy, as applied to the slave trade, was first acted on by a British officer employed in the Arabian Gulf.' Although Grant could not say whether the condition had been strictly adhered to, he hoped it would act as a precedent and similar conditions 'would be introduced into all future treaties.'²²⁵ Lansdown was technically correct. On 15th May 1820, Congress amended the Act to Protect the Commerce of the United States and Punish the Crime of Piracy (1819) to include not only robbery but also slave trading.²²⁶ The General Treaty signed on 5th February predated this amendment by three months, however, it only bound the limited pool of Trucial Arabian signatories, compared to the more significant jurisdictional reach of Congress' amendment. The Slave Trade Act (1824) eventually declared that dealing 'in Slaves on the High Seas' was 'to be deemed Piracy' for British citizens as well.²²⁷

²²³ Oded Löwenheim, "'Do Ourselves Credit and Render a Lasting Service to Mankind": British Moral Prestige, Humanitarian Intervention, and the Barbary Pirates', *International Studies Quarterly*, 47:1 (2003), 23-48 (p. 35).

²²⁴ Crouzet, 'A Slave Trade Jurisdiction', p. 234.

²²⁵ House of Commons, *Hansard's Parliamentary Debates: Slave Trade Piracy Bill* (30 March 1824, vol. 11, cols. 1-18) (London: Hansard).

²²⁶ See Martinez, *The Slave Trade and the Origins of International Human Rights Law*, pp. 49-50.

²²⁷ 'Slave Trade Act 1824', *legislation.gov.uk* <<https://www.legislation.gov.uk/ukpga/Geo4/5/113/enacted>> [accessed 1st June 2019].

Britain and America hoped they could extend this definition to the law of nations. In 1823, the House of Representatives passed a resolution that called on the President to 'enter upon... negotiations... expedient for the effectual abolition of the African slave trade, and its ultimate denunciation, like piracy, under the law of nations, by the civilised world.'²²⁸ It was not only treaties in the Atlantic which were influenced by Article IX. The subsequent Moresby Treaty (1822) with Oman included references to the slave trade as piracy. It forbade the selling of slaves to 'Christians' and any violations would lead to the immediate confiscation of vessels and the owners, captains and officers were to be 'treated as pirates.'²²⁹ Britain continued to insert similar clauses into all its anti-slavery treaties with other powers, demonstrating the importance of the General Treaty to their wider campaigns for abolition.

Despite his best efforts, Castlereagh failed to secure acknowledgement that slave trafficking was a form of piracy under international law. Bilateral recognition was not enough to secure universal recognition. While Article IX declared the 'carrying off of slaves' and the transport of them in vessels as 'plunder and piracy,' it was also only binding to the signatories. The absence of other regional players highlighted a weakness in the system. The Wahhabis, Ottomans and Persia were absent, despite their significant involvement in the trade. Differences also existed within their arrangements with Oman. While the British version of the Moresby Treaty stipulated transgressors would be 'treated as pirates,' the Omani version only stipulated that 'all shall suffer punishment.'²³⁰

Although their broader efforts failed, in Trucial Arabia, maritime violence and slave trafficking were now formally linked through their recognition under the General Treaty. The foundations of Britain's relationship with the region were based on the identification of these dual illegalities as a target for eradication. Britain's presence was predicated on its assumption of the role of maritime

²²⁸ *Annals of the Congress of the United States*, (Washington: Gales and Seaton, 1856), p. 3027.

²²⁹ Beatrice Nicolini, *Makran, Oman, and Zanzibar: Three-terminal Cultural Corridor in the Western Indian Ocean, 1799-1856*, (Leiden: Brill Academic, 2004), p. 134. See Appendix - Moresby Treaty, 29th August 1822 (English Version).

²³⁰ See Appendix - The Moresby Treaty, 4th September 1822 (Arabic Translation).

peacekeeper under the terms of the General Treaty. Although the signatories were obliged to surrender to several conditions, only Britain was expected to enforce them. The designation of 'Friendly Arabs' drew a clear distinction between how the British viewed those who were receptive to the formation of a new legal space and those who resisted. Within this space, a new normative order was constructed that identified 'piracy' and slave trafficking as inimical to legitimate commerce and peaceful intercourse. Those who consented were to be identified by a 'red flag, with or without letters in it... in a border of white' which would distinguish the 'Friendly Arabs' as members of the Trucial system.

Under Article VII, the signatories were now obligated to act against 'any tribes [who] shall not desist from plunder and piracy' according to their 'ability and circumstances.' Accusations of 'piracy' had become a powerful rhetorical device that the British had demonstrated they could deploy in a potentially destructive manner. Britain had already highlighted the consequences for 'pirates' through their destruction of Ras al-Khaimah, persuading the sheikhs of Abu Dhabi, Ajman, Bahrain and Umm al-Quwain to voluntarily submit themselves. In doing so, the signatories consented to their admission to a new normative order, which would regulate their actions under the watchful gaze of British cruisers.

Experiences in Trucial Arabia between 1798-1820 significantly influenced the direction British imperialism would take. Rather than securing formal control over the Qawasim, Grant had opted to develop a system of informal influence that appointed the British as the head of a naval confederacy committed to the eradication of 'piracy' and slave trafficking. In doing so, he had created a new space within the imperial network through interrelations between Britain, India and Trucial Arabia. As Alan Lester notes, the point about networks is that 'they connect different places', which are not bounded entities, but rather 'specific juxtapositions of multiple trajectories.' Through their 'coming together,' these trajectories produce combinations that are 'unique, and thus give character to each place.' Trajectories within the imperial network could be 'those of people, objects, texts [or] ideas,'

this was the case in Trucial Arabia where multiple stakeholders were placed on a collision course which culminated in the General Treaty.²³¹ This was a product of the amalgamation of the priorities of British administrators in both London and India and the Al Bu Said of Oman.

Britain's decision to enter Trucial Arabian politics was motivated by a desire to protect their territorial gains in India. Anxieties surrounding potential French penetration of the periphery surrounding the subcontinent were enough to convince officials of the necessity to establish relations with Oman. This was not without consequences. Britain's alignment with the Al Bu Said indirectly involved them in the ensuing Omani-Qasimi conflict, which had erupted in the power vacuum created by the Safavid collapse. Eradication of the Qawasim became a priority for the Anglo-Omani alliance, albeit for different reasons. The Al Bu Said sought to establish their dominance over Gulf trade and Britain recognised the dangers of regional insecurity to India. When the final blow was dealt, the priorities of Indian security and metropolitan abolitionism converged through the provisions of the General Treaty. This was an amalgamation of Calcutta's justification for a permanent British presence to protect the Indian periphery and London's desire to expand its campaign against the slave trade. The resulting Trucial system was a product of these multiple trajectories, which informed the shape of a new legal space in the waters around Trucial Arabia. The suppression of maritime violence and slave trafficking became Britain's foundational *raison d'être* as they filled the power vacuum left by the Safavids.

²³¹ Lester, 'Imperial Circuits and Networks', p. 135.

3.0 – The Moresby Treaty, Abolitionism vs Colonial Pragmatism and Trucial Arabian Slavery in the British Imagination

Despite the accomplishments of the General Treaty, its provisions provided limited practical measures against the slave trade. The re-definition of slave trafficking as piracy was significant, but Article IX only obligated the signatories to ‘do no such thing’ and was restricted to the ‘carrying off of slaves.’ The treaty was an indication of Britain’s intentions toward slave trafficking, rather than an attempt to strictly prohibit the practice. The absence of clearly defined jurisdictional boundaries complicated matters. Bombay and Bushire lacked concrete prescriptive powers and any right to limit their efforts to a specific area. Crucially, Oman was absent from the agreement despite the pivotal role Muscat played as a regional hub. Under the terms of the General Treaty, one of the most significant exporters was under no obligation to limit or cease their slave trade. With their victory over the Qawasim secured, British officials could now focus their energies away from the Persian Gulf. This enabled them to temporarily suspend the slavery question to refocus their energies elsewhere. Without any pre-existing restrictions against the East African slave trade, British officials were tasked with expanding upon the precedent set by the General Treaty. In this chapter, we will examine how the British attempted to address these deficiencies through their implementation of the Moresby Treaty (1822).

Firstly, we will establish why Britain chose to act against the East African slave trade. Anxieties surrounding a potential French base in the Arabian Peninsula had already motivated Bombay’s entry into the Persian Gulf. Their clash with the Qawasim was partially due to their counter-alignment with Oman. The threat of French corsairs towards vital trade routes around the Cape of Good Hope placed the Mascarenes in the crosshairs of this broader effort to erect a *cordon sanitaire* around India. With a new base in Mauritius secured, the pre-existing network of slave trading became a priority for officials both in London and Calcutta. The expansion of Britain’s abolitionist

foreign policy through the construction of a treaty network was a priority for metropolitan officials. Likewise, the presence of Indian slaves was a potential embarrassment for Company officials who were determined to strike a blow at France's supply. The priorities of the metropole and India would be amalgamated through their pursuit of an agreement with Oman to cut off French supplies from the important sources in East Africa and Madagascar.

Secondly, we will examine why Said bin Sultan was willing to acquiesce to British demands and how the Moresby Treaty was beneficial to Oman. After the General Treaty, Said must have been aware that Britain intended to remain a political calculation in Oman's foreign affairs. He was also all too aware of the ease at which British support could be withdrawn. Said had personally experienced the fickleness of British friendship on several occasions and understood the importance of maintaining a positive relationship. On the surface, Britain's restrictions on Zanzibar's ability to export to the lucrative Mascarene market represented a blow to Oman's economy. However, in exchange for this concession, the Moresby Treaty represented a crucial recognition of Said's territorial sovereignty over significant swathes of the East African coastline. Under the General Treaty, the signatories found themselves homogenised as 'Friendly Arabs.' In contrast, the Moresby Treaty not only recognised Oman's territorial claims but also its right to continue trading slaves within it. Despite his understandable anxieties about restrictions on his subject's trade with 'Christians,' the agreement was beneficial to the Al Bu Said.

Thirdly, we will demonstrate how tensions between metropolitan humanitarian objectives and the pragmatic priorities of colonial administration influenced these concessions to Said. Presented with a largely hostile French plantocratic elite, Governor Robert Farquhar was forced to juggle his humanitarian commitments and the pragmatic considerations dictated by the realities of his position. Despite his best efforts, Farquhar would become a pariah upon his return to London. He was forced to ingratiate himself with highly sceptical abolitionists, who viewed his ascension to the Vice-Presidency of the African Institution as rank hypocrisy. The public dissection of his governorship

laid bare the potential risks colonial officials faced. Trapped between the pragmatic choice of tolerating local conditions and the absence of suitable resources, administrators were only ever one scandal away from being exposed to the significant weight of abolitionist sentiment in the metropole. By dividing the Western Indian Ocean along the Moresby Line, Farquhar was able to direct his limited resources more effectively against the slave trade within British territories, at the expense of conceding Oman's right to trade internally.

Finally, we will explore how this colonial pragmatism began to shape how Trucial slavery was imagined in contemporary sources. In India, officials began to distinguish between the 'malevolent' slave trade and the comparatively 'benign' institution of domestic slavery.²³² Anxious about the potential ramifications of any penetration of this domestic space, British officials began to emphasise the comparative 'mildness' of domestic slavery as a justification for inaction. European diplomats, military officers and travellers in Trucial Arabia began to report more extensively on the state and structure of slavery in the region for the first time. These testimonies conformed to these new distinctions between the cruelty of chattel slavery and the 'benignity' of domestic slavery in Trucial Arabia. Writers began to emphasise the alleged kindness of the masters and the potential for social mobility inherent within Trucial slavery. These observations were framed around the increasingly prevalent construction of the impenetrability of the domestic sphere, underlining a logic of non-interference. By examining these developments, we can contextualise how the division between Oman's internal and external slave trades in the Moresby Treaty reflected this delineation.

²³² See sub-chapter 'The Concept of "Benign" Slavery and the British Definition of Slavery' in Miers, *Slavery in the Twentieth Century*, pp. 31-32.

3.1 - Anglo-French Rivalry in the Mascarenes and the Moresby Treaty

Since the seventeenth century, diplomatic and naval influence in the Mediterranean had been vital to Whitehall's great power status. As John Darwin argues, fears that French (and later Russian) dominance of the Middle East could threaten India extended this strategic interest into a 'vast new security zone stretching from Gibraltar to the eastern borders of Persia. Here, the strategic complexes of London and India combined to form a strong official interest. British imperial foreign policy was informed by 'certain rooted conceptions of national interest' which was firmly rooted in the balance of power in Europe. The Anglo-French rivalry had provided an impetus for the Treaty of Friendship. This was unambiguously designed to terminate French influence in Oman to protect the Indian periphery, while simultaneously binding Anglo-Omani strategic interests. Although Darwin notes that the pace within the Persian Gulf was 'set not in London or Calcutta but by the maritime sub-imperialism of the Bombay government,' the same forces which threatened these broader interests informed their entry into Trucial Arabian politics.²³³

The decision to align with Oman – and their subsequent collision with the Qawasim – was informed by these larger anxieties surrounding French military expansion. Within this context, the initial penetration of Trucial Arabia was part of the construction of a *cordon sanitaire* around India to strike at French influence within the Western Indian Ocean. The outbreak of conflict with the French in 1803 created a further crisis along the Indian periphery. Dutch cruisers had posed a threat operating from Cape Town and the East Indies, but by 1808 most of their colonies were neutralised.²³⁴ Despite this, the French navy and their privateering corsairs continued to pose a persistent threat to British interests. The Mascarenes provided a base from which they could threaten Indian Ocean trade routes, marking them as a priority for Governor-General Earl Minto. The arrival of Captain Jacques

²³³ Darwin, 'Imperialism and the Victorians', p. 622.

²³⁴ Robert Gardiner, *The Victory of Seapower* (London: Caxton Editions, 2001), p. 92.

Hamelin in March 1809 only exacerbated these anxieties. Hamelin conducted a highly effective campaign, destroying a Company base at Sumatra, before launching a new campaign against the Bay of Bengal and the coast of East Africa, capturing several vessels.²³⁵

The merchants of Calcutta had already addressed a memorial to Minto, lamenting how the 'commerce of India had suffered much for years from pirates who issued forth from the Mauritius and swept the sea from Madagascar to Java.'²³⁶ The intervention of the Indian mercantile classes, which would also prove crucial to the decision to subdue Ras al-Khaimah, spurred Calcutta into action. Minto sent an expedition and by December 1810, the British controlled both the Île Bourbon (later returned to France) and Mauritius.²³⁷ Despite these successes, Britain was forced to contend with a far more insidious threat – the presence of extensive slave trade. Île Bourbon was colonised in 1665, half a century later its 800 settlers were still living 'as though lost in an inaccessible region of the ocean.'²³⁸

After the Dutch abandoned Mauritius in 1712, the island was claimed by France and colonists from Île Bourbon arrived to settle in 1721. By 1723, they had established a monopoly over the local coffee trade and the growth of the Mascarene plantations became increasingly vital.²³⁹ The majority of the slaves originated from Madagascar. Although the French had abandoned the island in 1764, the Malagasy represented the most convenient source of labour. By 1724, a French envoy was dispatched to explore the potential of ports along the east coast of Madagascar, but most significantly the possibility of expanding the slave trade along the Mozambique coast.²⁴⁰ Between

²³⁵ Alexander Mikaberidze, *The Napoleon Wars: A Global History* (New York: Oxford University Press, 2020), p. 96.

²³⁶ *A Compendium of the History of India* (Madras: Addison, 1875), p. 240.

²³⁷ Robert Burnham and Ron McGuigan, *The British Army against Napoleon: Facts, Lists and Trivia, 1805-1815*, (Barnsley: Frontline Books, 2010), p. 46.

²³⁸ J. Saintoyant, J., *La colonisation française sous l'Ancien Régime (du XVe siècle 1780)* (Paris: 1929), p. 391.

²³⁹ Albert Lounnon, *L'île Bourbon pendant la Régence. Desforges Boucher. Les débuts du café* (Paris: 1956).

²⁴⁰ Hubert Deschamps, *Histoire de Madagascar*, (Paris: 1961), p. 79.

1715-1809, the total slave population on the Mascarenes grew from 633 to 126,506, while the average annual imports rose from between 117-122 to 4,600-5,351.

More alarmingly, whilst most came from Madagascar and East Africa, large numbers came from India. In 1806, Mauritius alone housed 6162 Indian slaves, who made up 10.2 per cent of the island's chattel population.²⁴¹ In 1792, the Malabar Commission strongly condemned the traffic. William Farmer reported that in Malabar, a 'very extensive Slave Trade carried on by the French' was supplied by 'numerous cargoes' from the Mascarene islands of Île Bourbon and Mauritius.²⁴² Seven years earlier, Monsieur Lousteau complained to the authorities in Port Louis, Mauritius, that his slave Jouan, who he described as a 'Lascar' and 'Malabar', had been smuggled aboard *Le Brilliant* to Pondicherry. Lousteau described Jouan as a 'Malabar' from the 'Lascar caste'. The story of his escape was relayed to him by a 'Bengalie negresse' named Modeste, who was described as Jouan's 'concubine.' Modeste informed police that she was certain Jouan had escaped with a man named Bernard, a '*soi-disant libre*' (so-called free), who was described as both a 'creol libre' and a 'Malabar.'²⁴³

Indian merchants were active participants themselves; Gujarati traders were involved as early as the 1740s. In Kathiawar, Africans were employed in various capacities, while in Kutch, they served aboard vessels. Some slaves imported into Diu appear to have been subsequently transhipped to Pondicherry and Mauritius through Goa.²⁴⁴ What makes these examples so significant is that they highlight the circular nature of slave trafficking between India, East Africa and the Mascarenes in the late eighteenth century.²⁴⁵ Through a study of the inventories of 641 slaving voyages involving the

²⁴¹ Richard B. Allen, 'The Mascarene Slave-Trade and Labour Migration in the Indian Ocean during the Eighteenth and Nineteenth Centuries', *A Journal of Slave and Post-Slave Studies*, 24:2 (2005), 33- 50 (pp. 40-41).

²⁴² London, BL, Oriental and India Office Collections, P/E/5, p. 398-9, Letter from W.G. Farmer at Calicut, 17 May 1792.

²⁴³ Megan Vaughan, 'Slavery and Colonial Identity in Eighteenth-Century Mauritius', *Transactions of the Royal Historical Society*, 8 (1998), 189-214 (pp. 189-92).

²⁴⁴ Pedro Machado, 'A Forgotten Corner of the Indian Ocean: Gujarati Merchants, Portuguese India and the Mozambique Slave Trade', *A Journal of Slave and Post-Slave Studies*, 24:2 (2005), 17-32 (p. 18).

²⁴⁵ See Marina Carter, 'Indian slaves in Mauritius (1729-1834)', *Indian Historical Review*, 15 (1988), 233-47.

Mascarenes between 1768 and 1809, Richard Allen has highlighted the complexity of the networks which moved 'African, Indian, Malagasy and Southeast Asian slaves' across the Indian Ocean. His enquiries reveal that the Mascarenes existed within the centre of a 'substantial and dynamic trading network.'²⁴⁶

Company officials were not indifferent to slave trafficking, they had already expressed concerns about a 'constant demand of the French' to supply the Mascarenes, which had created an entrenched slave trade in Malabar.²⁴⁷ In 1774, new regulations in Bengal were justified as a means of controlling traffic. They had discovered large numbers of children transported out of the subcontinent aboard French vessels destined for the Mascarenes.²⁴⁸ Bombay was instructed to regularly report on measures being taken to suppress the traffic. As Allen notes, there can be little doubt that concerns surrounding the presence of French slave traders within British territories were linked to 'the on-going struggle... for power in India.'²⁴⁹ Oman was now drawn into Britain's broader aims of preventing the importation of slaves into India and its newly acquired territories in the Mascarenes.

From the middle of the eighteenth century, the French had increasingly begun to source slave labour from East Africa and Madagascar. These slaves were exported from Portuguese East Africa, which ran roughly between Delagoa Bay (now Maputo Bay) and Cape Delgado and Omani East Africa, which ran between Cape Delgado and the Gulf of Aden.²⁵⁰ According to Megan Vaughan, these imports rose rapidly in the 1770s and 1780s, arriving into a society that 'though still fluid, had developed some degree of stability and identity', which placed 'les Mozambiques' at the bottom of the hierarchy of the slave economy. After 1795, most of the French slave trade conducted north of

²⁴⁶ Richard B. Allen, 'The Constant Demand of the French: The Mascarene Slave Trade and the Worlds of the Indian Ocean and Atlantic during the Eighteenth and Nineteenth Centuries', *Journal of African History*, 49 (2008), 43-72.

²⁴⁷ London, BL, Oriental and India Office Collections, E/4/1009, pp. 246-49, Answer to the Letters in the Political Departments, 4 August 1792 to 10 March 1793.

²⁴⁸ London, BL, Oriental and India Office Collections, P/49/46, p. 1485, Regulations Issued, 17 May 1774.

²⁴⁹ Allen, 'The Constant Demand of the French', p. 44.

²⁵⁰ Vaughan, pp. 205-6.

Cape Delgado was centred at Zanzibar. In 1797, relations with Kilwa were strained after a French corsair seized a vessel carrying a cargo of '300 slaves, fifty large ivory tusks and 1,000 dollars' during its voyage to Zanzibar.²⁵¹ By 1811 Captain Thomas Smee estimated that the annual exports from Zanzibar were 'not less than 6,000 to 10,000.'²⁵²

Although French access to the Mozambique markets was curtailed through an extension of the Franco-Portuguese conflict, Zanzibar and Madagascar were identified as key vectors in the Mascarene slave trade. Indian officials had already hinted at their intentions to Said, informing him of regulations banning the importation of slaves into Bombay and Fort William. During the Napoleonic Wars, British overtures were comparatively soft, but these lines of argumentation hardened significantly by 1821. Prince William Frederick wrote to the Court of Directors on behalf of the African Institution.²⁵³ He requested they 'may be induced to interpose their mediation with the Imam of Muscat for the entire Abolition of the Trade' at Zanzibar. He expressed concerns that 'along the Eastern Coast of Africa, the Slave Trade still prevails to a great extent' and that the 'fertile and beautiful' Zanzibar 'though capable of maintaining an ample legitimate commerce' had been made the theatre for a 'large and active traffic 'attended with all its customary horrors.'²⁵⁴

The prince reiterated that he was aware the island was represented by 'a Chief who has experienced, and still enjoys, the favour and protection' of the E.I.C.²⁵⁵ These observations demonstrated how differing priorities within the trajectories of the imperial network could produce conflict. Oman was an important regional ally in India's *cordon sanitaire*, but their involvement in the slave trade was a potential embarrassment for officials in London and India. Abolitionist discourse

²⁵¹ Stewart Freeman-Grenville, *The French at Kilwa Island: An Episode in Eighteenth-Century East African History* (London: Clarendon Press, 1965), p. 57.

²⁵² London, BL, India Office Records and Private Papers, IOR/L/MAR/C/586, ff 103-5, Survey of the East Coast of Africa by Captain Thomas Smee and Lieutenant Henry Hardy in the East India Company's Cruiser Ternate, 10 April 1811 <https://www.qdl.qa/en/archive/81055/vdc_100022551646.0x00025d>.

²⁵³ John Milner Gray, *History of Zanzibar from the Middle Age to 1856* (London: Oxford University Press, 1963), p. 232.

²⁵⁴ Church Missionary Society, *The Missionary Register* (London: L.B. Seeley, 1821) p. 418

²⁵⁵ *Ibid.*

was hugely influential in the metropole and drawing the attention of such an important institution was enough to prompt action. To avoid a scandal, Calcutta responded that Bombay had already informed Said that the traffic was 'so repugnant to every principle of humanity.' They informed the African Institution that they intended to issue instructions to Bombay 'to renew their appeal' and 'leave no prudent means untried to obtain the desired concessions.'²⁵⁶

What followed was a triangular negotiation between India, Mauritius and Muscat. By 1821, Robert Farquhar, the Governor of Mauritius, had become 'particularly pressing, and, in a protracted correspondence with Said, mingled arguments of expediency with an evangelical appeal to virtue.'²⁵⁷ He despatched Captain Fairfax Moresby to report on the French slave trade between Zanzibar and Île Bourbon. Moresby informed him that 'the French are guilty of the most atrocious crimes... carrying of the Negroes and murdering those who resisted.'²⁵⁸ Moresby was sent to Mauritius to 'suppress the infamous slave trade carried on between Africa and the French colonies and Arab ports about the Persian Gulf.'²⁵⁹ By August, Moresby seized the *Industry* off the coast of Zanzibar. Embarrassingly, most of the crew were British subjects.²⁶⁰ Onboard were 140 slaves, but Moresby had managed to earn the ire of Said for engaging vessels in his waters.²⁶¹ Farquhar was forced to apologise for the unauthorised capture, but it was indicative of Britain's determination to strike at the French traffic.²⁶² What it also revealed was the risk fraught by the absence of an agreement allowing them to make captures in Omani waters. Farquhar had sent a letter to Said reminding him of the existence of slavery under his jurisdiction, though it was ignored. Farquhar wrote to Calcutta, imploring them to persuade Said to exercise his influence over Omani slave traffickers to 'gain the

²⁵⁶ Ibid, p. 419.

²⁵⁷ Gerald Sandford Graham, *Great Britain in the Indian Ocean: A Study of Maritime Enterprise, 1810-1850* (London: Clarendon, 1967), p. 197.

²⁵⁸ Nicolini, *Makran, Oman and Zanzibar*, p. 132.

²⁵⁹ John Moresby, *Two Admirals: Admiral of the Fleet Sir Fairfax Moresby and His Son, John Moresby* (London: John Murray, 1909), p. 19.

²⁶⁰ Christopher Lloyd, *The Navy and the Slave Trade: The Suppression of the African Slave Trade in the Nineteenth Century* (London: Routledge, 2012), p. 204

²⁶¹ Moses D.E. Nwulia, *Britain and Slavery in East Africa* (New York: Three Continents Press, 1975), p. 42.

²⁶² Norman Robert Bennett, *A History of the Arab State of Zanzibar* (London: Routledge, 1978), pp. 19-20.

co-operation of the Native Chiefs in forcing France to abandon the slave traffic.²⁶³ He believed this was the only way that the French trade could be eradicated.

Said relented and agreed to negotiate, earning him praise for adopting the policy of a 'truly illuminated sovereign.'²⁶⁴ Britain had engaged in a series of correspondence which resulted in a draft treaty designed to persuade Said to acquiesce to their demands. On 27th August 1822, Moresby visited Said in Muscat. Articles I-V all contained clauses relating to the sale of slaves to 'all Christian nations.' Article I acknowledged that Said had sent instructions to his officers to 'prohibit the sale of slaves to all the Christian nations' whilst Article V set a time limit of four months for its implementation. Article II obligated Said's officials to seize vessels and inflict punishment on persons connected with her' whenever they discovered an Arab vessel carrying slaves 'for the purpose of taking them to Christian countries.' Article III stipulated that any crew of vessels carrying slaves for sale must inform Omani authorities so they may punish the commander, but that 'if they conceal (the fact), all shall suffer punishment.'²⁶⁵

²⁶³ Cited in Nicolini, Makran, Oman and Zanzibar, p. 133.

²⁶⁴ Cited in R.W. Beachey, *The Slave Trade of Eastern Africa* (London: Rex Collings, 1976), p. 43.

²⁶⁵ See Appendix - Moresby Treaty, 4th September 1822 (Arabic Translation).

Map 3.0 – The Moresby Line dividing the internal slave trade and external prohibition.



Unlike later treaties, which would only extend enforcement to Britain, the Moresby Treaty recognised Oman as an active partner. The Moresby Treaty did not propose an immediate ban on slave trading in the Western Indian Ocean but instead divided it in half with a line from Cape Delgado to Diu Head on the northwestern coast of India from a point sixty miles east of Socotra. This delineation was deliberate, as we may recall France’s traffic from Omani territories began from Cape Delgado northwards (See Map 3.0). To the east, Britain prohibited slave trafficking, allowing their officers to confiscate vessels carrying slaves. The treaty represented an unambiguous expansion of the spirit of the General Treaty. Any violation would result in the confiscation of the vessel involved and the ‘death without benefit of clergy’ of the perpetrators – the same penalty reserved for acts of

piracy. While the Omani version of the treaty only mentions that 'all shall suffer punishment,' it highlights the complementary role the Moresby Treaty played in the campaign to expand the redefinition of the slave trade as piracy, which began with the General Treaty.

These two spaces constituted a much larger space in the Western Indian Ocean, which was informed by an amalgamation of metropolitan and colonial priorities. This was shaped by their respective commitments to the expansion of abolition and the protection of India's periphery. The re-definition of the slave trade as piracy was part of a wider effort by London to institute a new norm within international relations. The Moresby Treaty, therefore, provided an opportunity to expand this definition, while simultaneously allowing British officials to satisfy metropolitan desires by striking at the slave trade. This also facilitated Calcutta's anti-French foreign policy, which was designed to protect the subcontinent from foreign intrusion. The slave trade in the Mascarenes presented a perfect opportunity to extend these efforts to secure the periphery along a vital artery in the Indo-European trade route. This was a space that was the result of the combined trajectories of an Indo-British imperial network, whose priorities coalesced to shape the boundaries of the Moresby Treaty. Yet, this was also a treaty that was shaped by a third trajectory, that of Oman.

3.2 - Said bin Sultan, Oman and the Moresby Treaty

Whilst Britain's aims were clear, another element in this equation requires our attention. Why was Said willing to acquiesce to British demands with only minor verbal resistance? One explanation is Said's broader desire to secure a close and cordial relationship with Britain. John Malcolm's visit appears to have made a lasting impression on the young Sultan, who retained a 'grateful recollection' of the envoy for he 'preserve[d] with great care the model of a seventy-four-gun ship'

which he had presented to him during an earlier encounter.²⁶⁶ From his youth, Said recognised the importance of courting a relationship with Britain and later reports revealed his continued desire to accommodate them in Muscat. During a meeting with Said, William Heude noted that he had 'been informed that I was a British officer... paying me the compliment of rising from his seat on my entrance, and making those enquiries that are indispensable to good-breeding.' During their conversation, Said made sure to mention the names of officers he had previously received, enquiring after them with 'more good-humoured earnestness than ceremonious form.'²⁶⁷

Said also understood the importance of extending this deference to European women. Lady Mary Wortley Montague remarked her 'very good friend the Imam' was the 'only Asiatic I ever saw, who gave me the idea of what is conveyed by the English term gentleman.' Montague praised Said for displaying 'the most admirable self-possession and gracefulness' to this 'novel and strange' guest. She was keen to stress that he took on an active role, even placing many of the dishes 'with his own princely hands' and that 'you must imagine the feelings of a man who had all his life been waited on by women, but who probably was never before called upon to pay the slightest attention to one.'²⁶⁸ During this period, a non-European state's ability and willingness to protect the life and property of European travellers, traders and envoys was a measure of whether 'civilisation' could be extended to them.²⁶⁹ Whilst we must be reticent of the imperialist undertones of these sources which portray Said as overawed or supplicant, they do indicate that he was politically astute enough to recognise the pragmatism of aligning himself with Britain.²⁷⁰

²⁶⁶ Sir John Malcolm, *Sketches of Persia: from the Journals of a Traveller in the East* (London: John Murray, 1849), p. 12.

²⁶⁷ William Heude, *A Voyage Up the Persian Gulf* (London: Longman, Hurst, Rees, Ormes and Brown, 1819), p. 26.

²⁶⁸ Quoted in *Westminster Review*, 5 (London: Baldwin, Cradock and Joy, 1826), pp. 206-7.

²⁶⁹ George Schwarzenburger, *The Frontiers of International Law* (London: Stevens and Sons, 1962), p. 71

²⁷⁰ For examples on Eurocentrism and the Civilising Mission see Gerard Delanty *Inventing Europe: Idea, Identity, Reality* (London: MacMillan Press Ltd, 1995), pp. 84-99, Alexis Heraclides and Ada Dialla, *Humanitarian Intervention in the Long Nineteenth Century: Setting the Precedent* (Manchester: Manchester University Press, 2015), pp. 31-56, Michael Mann, "Torchbearers Upon the Path of Progress' Britain's Ideology of a 'Moral and Material Progress' in India. An Introductory Essay', in *Colonialism as Civilizing Mission: Cultural*

Said was also aware of the precarious nature of British support, despite the reciprocal spirit of the Treaty of Friendship. Following the death of his father, British officials refused to recognise Said due to his involvement in the murder of his cousin Badr bin Saif. Badr had seized the throne after an invitation to assume a regency over Sultan bin Ahmad's sons in return for aid in repelling Qais bin Ahmad. Badr arrived in Muscat under the auspices of the Wahhabis, an affiliation that brought him the hostility of the largely Ibadi population. By 1806, Said was persuaded to act, inviting Badr to a meeting at Barka where he assassinated him.²⁷¹ Although Omanis viewed Said as a liberator, the same could not be said of the British. They refused to recognise him, compounding his miseries even further by signing a peace agreement with Sultan bin Saqr, which reopened India to Qasimi trade.²⁷²

Faced with a significant combined Wahhabi-Qasimi threat and deserted by Britain, Said had turned to the French for assistance in 1807.²⁷³ Although these overtures were enough to spring the British into action, Said must have been cognizant of declining French influence after the Napoleonic Wars. The capture of Mauritius was only a further indication of the growing weakness of utilising the threat of re-opening of relations with Paris as leverage. The fragility of British support was reinforced when Said was abandoned to face the Wahhabi relief force alone during the 1809 expedition against Ras al-Khaimah.²⁷⁴ Despite utilising their initial invitation to dissuade Said from considering future French pretensions, they once again revealed that relying on declarations of friendships was risky. The withdrawal of British forces in the aftermath of the disastrous Bani Bu Ali expedition only a year before Moresby's visit must have only compounded this realisation even further.²⁷⁵

Ideology in British India, ed. by Harald Fischer-Tiné and Michael Mann (London: Anthem Press, 2004), pp. 1-28 and Edward W. Said, *Said, Edward W., Orientalism* (New York: Vintage Books, 1978).

²⁷¹ Ibn Raziq, *History of the Imams and Seyyids of 'Oman*, pp. 290-1.

²⁷² See Appendix - Agreement between Sultan bin Saqr of the Qawasim and Captain David Seton on the part of the East India Company, 6th February 1806.

²⁷³ Guillemette Crouzet, 'A Second "Fashoda"? Britain, India, and a French "Threat" in Oman at the End of the Nineteenth Century', in *British and French Colonialism in Africa, Asia and the Middle East: Connected Empires across the Eighteenth to the Twentieth Centuries*, ed. by James R. Fichter (Cambridge: Palgrave Macmillan, 2019), pp. 131-50 (p. 134).

²⁷⁴ Ash Rossiter, *Security in the Gulf: Local Militaries Before British Withdrawal* (Cambridge: Cambridge University Press, 2020), p. 7.

²⁷⁵ Jones and Ridout, *A History of Modern Oman*, p. 49.

As Jeremy Jones and Nicholas Ridout note, by 1820 Said's political position was much stronger than previously. The fact that Bombay was willing to offer any concessions is indicative of this. Despite this, he must have been aware of the necessity to make some calculations about the nature of British power. Pragmatism compelled him to acknowledge the reality of Britain's presence and 'accommodate Omani-Zanzibari interests within this reality.'²⁷⁶ Not only had he courted British support, but he had also seen and participated in British action and witnessed first-hand the potential consequences of non-compliance. For as much as India had demonstrated itself to be an unreliable ally, it had also proven itself a dangerous enemy. The destruction of Ras al-Khaimah was a timely reminder of the potential cost of invoking Britain's ire. Although it would have been impossible for Said to imagine the extent to which the British would expand their control over the region, their actions may have indicated their intentions.

The Treaty of Friendship and the General Treaty both implied that the British viewed their presence as a long-term commitment. Article IX's explicit redefinition of the 'carrying off of slaves' being 'plunder and piracy' and their campaign against the French slave trade, made their animosity towards the traffic plain. For the Omanis, the slave trade was both a social and economic necessity sanctioned by their religion and had to be tolerated, as losses would have inevitably been high. Said had complained that signing the treaty cost him upwards of MT\$ 50,000 annually. However, as Abdul Sheriff has argued, he continued to exaggerate this in subsequent years 'in the hope of precluding further demands of that nature and to extract the maximum concession in return.'²⁷⁷ Although he bemoaned these concessions, Said was aware that the ramifications of Muscat and Zanzibar's isolation from the regional trade network would have been far graver – both economically and politically.

²⁷⁶ Jones and Ridout, *Oman, Culture and Diplomacy*, pp. 125-26.

²⁷⁷ Abdul Sheriff, *Slaves, Spices and Ivory in Zanzibar: Integration of an East African Commercial Empire into the World Economy, 1770–1873* (Ohio: Ohio University Press, 1987), p. 47.

Despite the financial costs incurred by Oman, the Moresby Treaty was not wholly unbeneficial. Unlike the General Treaty, it still retained reciprocal components that recognised Oman as an equal partner, not a subordinate. As Beatrice Nicolini notes, although the 'political survival of the Sultan in Arabia and Africa was in British hands,' their continued access to lucrative Indian ports was an 'acceptable compensation' for the loss of the European slave markets.²⁷⁸ The Moresby Line provided Said with official British recognition of Oman's claims to territorial sovereignty over the coast of East Africa between Socotra and Cape Delgado. While the General Treaty homogenised the signatories as 'Friendly Arabs,' the Moresby Treaty explicitly recognised the Al Bu Said's rights to territorial sovereignty.

This was an acceptable concession on Britain's part. It secured control of maritime routes to India while providing Said with official recognition of his dominions, leaving the main arteries of the Middle Eastern slave trade intact.²⁷⁹ Recognition of Oman's suzerainty over this space carried with it the implication of their right to maintain their slave trade as a sovereign state. This elevated Oman to a similar status as those European states who maintained their rights to traffic slaves under the principles of 'legal positivism.' The fact that Britain sought an official treaty with Oman further legitimised Said within the international community. This was a significant benefit when we consider the precarious nature of Anglo-Omani friendship during the early part of Said's reign.

The Moresby Treaty was not an imperial imposition from the top down onto Oman, but rather an intersection of the trajectories of London, India and Oman. While British officials were undeniably the driving force behind its implementation, the concessions and deference extended to Said were significant if we compare it with the General Treaty. While the General Treaty homogenised the signatories as 'Friendly Arabs,' the Moresby Treaty recognised Oman's territorial sovereignty, whilst only partially restricting their ability to export slaves from East Africa. Ultimately, the terms satisfied

²⁷⁸ Beatrice Nicolini, *Makran, Oman, and Zanzibar: Three-terminal Cultural Corridor in the Western Indian Ocean, 1799-1856* (Leiden: Brill Academic Pub., 2004), p.134

²⁷⁹ Beatrice Nicolini, 'Saiyid Sa'id bin Sultan Al Bu Sa'idi of Oman (1791-1856) and his Relationships with Europe', *ARAM Periodical*, 11 (2000), 171-80 (pp. 174-76).

London's demand to act against the slave trade, India's desire to strike against the export to the subcontinent and the Mascarenes and Oman's right to continue the traffic within their dominions unimpeded.

It was also a reflection of the limitations of British abolitionism in the Western Indian Ocean. As Hideaki Suzuki notes, colonial policy during this period was informed by the combined threat of potential resistance from local rulers and traffickers and the absence of sufficient naval resources. Unable to demand an immediate prohibition of the slave trade, policymakers instead opted for the division of the Indian Ocean into two distinct spaces: one which recognised Oman's territorial sovereignty and their internal slave trade and another which dealt with their external trade with 'Christian' nations.²⁸⁰

This delineation between the internal (Omani) and external (British) spaces created two interrelated normative orders in the Western Indian Ocean shaped by the networked interactions between British India, London and Oman. East of the Moresby Line, the slave trade was increasingly rendered illegal. Both the Moresby Treaty and the British-Merina Treaty targeted significant regional export centres. To the West, the slave trade was not only sanctioned under socio-religious traditions but also entirely legal and crucial to the East African and Trucial Arabian economies.²⁸¹ This was a crucial distinction. While the Omanis were now obliged to terminate the export of slaves to Europeans, they avoided restricting their own subject's access. However, Said was all too aware of the serious political ramifications involved in limiting his people from accessing lucrative East African markets.²⁸²

The Moresby Treaty itself was received coldly in Oman and Said 'showed obvious signs of distress as he saw the discontent mounting, confessing to the darkest forebodings about the future.'²⁸³ These

²⁸⁰ Hideaki Suzuki, 'Environmental Knowledge and Resistance by Slave Transports in the Nineteenth Century Western Indian Ocean', in *Bondage and the Environment in the Indian Ocean World*, ed. by Gwyn Campbell (Cham: Springer, 2018), pp. 187-204 (p. 197).

²⁸¹ John Ralph Willis, *Slaves and Slavery in Muslim Africa: Volume II - The Servile Estate* (London: Frank Cass, 1985), p. 163.

²⁸² Jones and Ridout, *A History of Modern Oman*, p. 59.

²⁸³ Cited in Graham, p. 201.

were anxieties that were shared by his British counterparts, who had found themselves in possession of newly acquired territories deeply embedded within the local slave economy. Farquhar deemed it his duty to express 'my great obligations to Captain Moresby for the prudence, intelligence, and zeal, with which he has conducted a negotiation which required much address and decision to bring it to so happy a termination.'²⁸⁴ Despite this, during his tenure, he struggled to maintain peaceable relations with the colonial elites of Mauritius, while simultaneously attempting to balance his obligations to suppress the slave trade.

Here, the abolitionist priorities of the metropole conflicted with the political pragmatism of the colonies. After already taking a leave of absence between 1817-1820, Farquhar resigned from his post shortly after the conclusion of the Moresby Treaty in 1823. On 11th February 1825, he entered parliament as MP for Newton and then Hythe, but after only a year his record as Governor of Mauritius came under intense scrutiny. Sir Thomas Foxwell Buxton, who assumed the leadership of the abolitionist movement in the Commons after William Wilberforce's retirement in 1825, launched a stinging attack on the alleged existence of an extensive clandestine slave trade in Mauritius. The colonial concerns which informed the British compromise under the Moresby Treaty were placed under a microscope, as Farquhar's administration was dissected in London.

Yet, as Suzanne Miers notes, imperial expansion placed a great strain on the resources of manpower and money, forcing the British to rely largely on 'government through local rulers or institutions. In the Mascarenes, this was through the largely French legal and planter classes.'²⁸⁵ Far from an 'official mind' which pontificated orders from London to be carried out by zealous 'men on the spot,' this was an empire that largely relied on the cooperation of local elites and the acquiescence of British officials. Both of these components were susceptible to local pressures and contextually specific problems unsuspected in London.

²⁸⁴ *British and Foreign State Papers, 1822-1823* (London: Harrison, 1850), 10, p. 516

²⁸⁵ Miers, *Slavery in the Twentieth Century*, pp. 32-33.

Imperial governance was by necessity a series of compromises that represented a stark departure between the abolitionist ideals of the metropole and the political realities of the colonies.²⁸⁶ Writing of the Condesa de Merlin's *La Havane* (1844), Claire Emilie Martin describes the 'Slave Letter' as appearing to be 'torn between articulating an 'enlightened', humanitarian and paternalistic view of slavery and representing the more pragmatic concerns of colonial landowners on the brink of losing the foundation of their wealth.'²⁸⁷ It is this conflict between the humanitarian objectives of the metropole and the administrative priorities of the colonies that we shall now examine.

3.3- Metropolitan Abolitionism and Colonial Pragmatism

If it is possible to identify why Said was willing to acquiesce to British requests, we must ask a further question: why were British officials willing to offer Oman any concessions? They had already successfully re-defined the slave trade as piracy through the General Treaty. While Oman's comparative strength and pre-established friendship may partially explain this generosity, it does not fully explain it. Similarly, their pursuit of the Moresby Treaty reinforced a desire to expand the abolition of the slave trade beyond their jurisdiction. The General Treaty had already formed part of this broadening ambition. Given Oman's absence from it and the significance of Zanzibar to the local slave trade, it was only logical that regulation of the traffic would be attempted. So, why were the British willing to allow Oman to continue their internal slave trade in exchange for a ban on their external traffic with Europeans?

The answer may lay within Britain's approach to the administration of territories that included significant populations of slave labour. Although metropolitan politicians were committed to the

²⁸⁶ Darwin, *Unfinished Empire*, pp. xii-xiii.

²⁸⁷ Cited in Adriana Méndez Rodenas, *Gender and Nationalism in Colonial Cuba: The Travels of Santa Cruz y Montalvo, Condesa de Merlin* (Tennessee: Vanderbilt University Press, 1998), p. 146.

expansion of abolitionism, colonial officials faced a tense relationship between their moral obligations and political pragmatism. Although slavery was abolished under the First Republic, slave trading continued in the Indian Ocean. The residents of the Mascarenes ignored the orders and expelled the commissioners sent to implement the ban in 1796. The islands remained *de facto* independent until 1803 when they peacefully re-aligned themselves to metropolitan control after Napoleon legalised slavery.²⁸⁸ The Colonial Assemblies of Mauritius and Île Bourbon had already re-legalised the slave trade in response to dwindling cultivation and profits.²⁸⁹

Britain's capture of Mauritius set the stage for renewed conflict between the island's colonists and British abolitionism.²⁹⁰ Farquhar had sought to ingratiate himself with the French inhabitants through an extension of the privileges they afforded the occupants of Quebec. After the Treaty of Paris (1763), the British guaranteed the rights of the French settlers to preserve their heritage, language, religion, civil law and customs.²⁹¹ Farquhar agreed 'all private property shall be respected' and they 'shall preserve their religion, laws and customs.'²⁹² He recognised the destruction the British blockade had upon the Mauritian economy and early in his tenure he petitioned London to request that the islands be considered exempt from the Slave Trade Act.²⁹³

This was flatly rebuffed, but it was indicative of the anxieties of a vulnerable British official ruling over a recently conquered population of foreign elites whose wealth was heavily tied up in the slave labour of the plantation economy. Only a year later, the Governor reported that a 'suspected

²⁸⁸ Raymond D'Uienville, *Histoire politique de l'Isle de France (1791-1794)* (Port Louis: 1982) and *Histoire politique de l'Isle de France (1795-1803)*, (Port Louis: 1989), pp. 131-43.

²⁸⁹ Vijayalakshmi Teelock and Abdul Sheriff, 'Slavery and the Slave Trade in the Indian Ocean', in *Transition from Slavery in Zanzibar and Mauritius: A Comparative History*, ed. by Abdul Sheriff and others (Senegal: CODESRIA, 2016), pp. 25-44 (p. 27).

²⁹⁰ Richard B. Allen, 'Licentious and Unbridled Proceedings: The Illegal Slave Trade to Mauritius and the Seychelles during the Early Nineteenth Century', *The Journal of African History*, 42:1 (2001), 91-116 (p. 93).

²⁹¹ Anand Mulloo, *Voice of the Indian Diaspora* (Delhi: Motilal Banarsidass, 2007), p. 185.

²⁹² John Rouillard, *A Collection of the Laws of Mauritius and its Dependencies* (Mauritius: L. Channell, 1866), 3, p. 5.

²⁹³ Randolph Vigne, *Thomas Pringle: South African Pioneer, Poet and Abolitionist* (Woodbridge: James Currey, 2012), p. 202.

unlawful commerce in slaves' had come to his attention.²⁹⁴ He informed London that he had 'done all in my power to alleviate the oppression of the slaves... but with the courts of justice constituted as those at present in the colonies are, it is difficult to obtain justice.' Farquhar argued that without an adequate supply of slaves, a 'universal torpor and poverty' would reign, since 'every labourer and domestic servant, and almost every artisan is a slave.' Farquhar recognised the importance of a reliable source of cheap labour to the plantation economy, claiming that 'without the slave trade or some other substitute these colonies promise shortly to be annihilated.'²⁹⁵ London responded by stating they 'cannot sufficiently express' their surprise that 'this trade should be suffered to exist with respect to those islands... which the fortune of war might place' under their dominion.²⁹⁶

Despite this, Farquhar was eager to impress upon Whitehall the full gravity of the situation. He reminded them that it was not 'more from a sense of public duty, and of the importance to my own character, that these illegal proceedings should be effectually suppressed, than from my conscientious feeling as a man, a cordial hatred and detestation of this traffic... that I have, with unremitting zeal, labour and perseverance, pursued all the legal means within the scope of my power... to crush and eradicate [the slave trade.]' Yet, in a colony 'thus situated, with a population constituted as this is, with an extensive slave market close at hand,' the Île Bourbon within a night's sail and only 'occasionally visited... by cruisers, at longer intervals' he believed 'more could not have been done... by the means at our disposal.'²⁹⁷ He reiterated the difficulty presented to colonial administrators who, with limited means at their disposal, were expected to reinforce the humanitarian ideals of the metropolitan government whilst simultaneously maintaining British paramountcy.

²⁹⁴ Cited in Richard B. Allen, 'The Mascarenes, Indian Ocean, African and Global Labour Migration during the Eighteenth and Nineteenth Centuries', *African Islands: Leading Edges of Empire and Globalization*, ed. by Toyin Falola, R. Joseph Parrott and Danielle Porter Sanchez (Rochester: University of Rochester Press, 2019), pp. 294-317 (p. 299).

²⁹⁵ Cited in S. Pasfield Oliver, 'General Hall and the Export Slave-Trade from Madagascar: A Statement and a Vindication', *Antananarivo Annual and Madagascar Magazine*, 3:12 (1886), 473-79 (p. 474).

²⁹⁶ Cited in Nwulia, *Britain and Slavery in East Africa*, pp. 12-13.

²⁹⁷ R.J.W. Horton, *Parliamentary Papers - Papers Relating to Captured Negroes*, 27 (London: 1826), p. 122.

As Suzanne Miers and Richard L. Roberts argue, despite the ideological and legal commitment to suppress slavery, it was in practice 'usually subordinated to the pragmatic agenda of colonial administrators, who, even if they wished to take decisive action, found their hands tied by the very real weakness of the colonial state.'²⁹⁸ Despite London's insistence that Farquhar ought to implement the Slave Trade Act, the practical means of disposing of its provisions were much more complex. Without sufficient access to a reliable naval deterrent, any attempts to suppress the traffic would prove difficult. Any attempt to weaken the slave trade was undermined by the departure of the British naval patrol during the hurricane season.²⁹⁹

Likewise, the decision to extend the plantocratic elites' former privileges and retain elements of the island's legal structure made it difficult to prosecute infractions through agents who held an interest in the slave economy. With a population hostile to any restrictions on their previous habits and an adequate deterrent available on a strictly time-limited basis, any attempt to limit the slave trade was difficult. The result was, as Miers describes, a 'veritable hodge-podge of pragmatic solutions worked out by each administration, even by each official, in response to local demands,' sometimes concealed from the ever-watchful eyes of humanitarians and even 'from the home government.' Officials were expected to satisfy public opinion in the metropole by zealously pursuing the eradication of the slave trade, while also placating local slave owners to avoid rebellion or economic collapse.

Administrators like Farquhar were 'expected to solve this conundrum, often with little or no guidance from the home government.'³⁰⁰ Although he had found himself rebuked, those who acted during his leave of absence between 1817-1819 also faced difficulties. In 1818, General Hall was removed after he suspended the Chief Justice, Attorney General and others for their involvement in

²⁹⁸ Richard Roberts and Suzanne Miers, 'The End of Slavery in Africa', in *The End of Slavery in Africa*, ed. by Suzanne Miers and Richard Roberts (Madison: The University of Wisconsin Press, 1988), pp. 3-70 (p. 17).

²⁹⁹ Beachey, p. 29.

³⁰⁰ Suzanne Miers, 'Slavery and Freedom in Sub-Saharan Africa: Expectations and Reality', *Slavery and Abolition*, 21:2 (2008), pp. 237-64 (p. 249).

the slave trade, which earned him the ire of local elites. Sir Ralph Darling reported that the 'opulent and powerful part of the Mauritius community not only encourage but support the slave trade and interpose their abilities and professional knowledge to defend the Agents of this traffic but not to punish them. The tribunals are deeply interested in it as any other part of the society.'³⁰¹

This does not mean they failed to pursue any measures against the slave trade before the Moresby Treaty. On 11th April 1814, Farquhar issued a proclamation in English and French, which authorised the annual enumeration of all Africans, whether slaves or free. The establishment of a registry of slaves was also authorised. Additionally, between September 1813 and April 1814, when warships were absent from Mauritius, agents were posted in Madagascar and Seychelles with the authority to seize any vessels carrying slaves who they believed were travelling to Mauritius. These only achieved minor results, but Moses Nwulia argues Farquhar had done what he could to 'fight slave smugglers in a land pervaded by a spirit of defiance for the law', as he had 'repeatedly exhorted lethargic government officials to discharge their duties.'³⁰²

His role in the negotiations surrounding the Moresby Treaty, the exchange of British military support and monetary compensation in return for a ban on slave exports with Radama I of Madagascar were significant achievements.³⁰³ When Farquhar resigned his governorship in 1823, he did so with a respectable reputation, but upon his return to Britain, his record was the subject of significant scrutiny. After entering parliament, Farquhar secured himself a prominent position in the African Institution as its vice-president. What at first seemed an astute strategic choice, as Kirsten McKenzie notes, rapidly looked like 'rank hypocrisy and a potential disaster for his public reputation.'³⁰⁴ Feeling

³⁰¹ Cited in Reginald Coupland, *The British Anti-Slavery Movement* (London: T. Butterworth, 1933), p. 192.

³⁰² Nwulia, *Britain and Slavery in East Africa*, pp. 13-14.

³⁰³ Gwyn Campbell 'Madagascar and the Slave Trade, 1810-1895', *The Journal of African History*, 22:2 (1981), 203-27 (pp. 206-7).

³⁰⁴ Kirsten McKenzie, *Imperial Underworld: An Escaped Convict and the Transformation of the British Colonial Order* (Cambridge: Cambridge University Press, 2016), p. 113.

‘called upon to comment,’ Thomas Foxwell Buxton and the *Anti-Slavery Reporter* launched a stinging attack on Farquhar’s record on Mauritius.³⁰⁵

On 9th May 1826, Buxton forwarded a motion for the appointment of a Select Committee to ‘inquire whether the Slave Trade has prevailed in the Mauritius, and to what extent.’ He alleged that, contrary to its abolition, for ‘the last fourteen years, the slave-trade, in all its horrors, has existed... carried upon a large scale, to the extent of thousands and tens of thousands.’ There had been a ‘regular, systematic, and unceasing importation of slaves’, which was ‘carried on to such an extent, in a manner so open, as to reflect, in the strongest manner, on the highest authorities in the island.’ Although members were eager to declare that these charges were a reflection of the island’s governance, they agreed to the motion and a committee was appointed.³⁰⁶

This distinction highlighted the thankless and precarious positions colonial governors found themselves in. Left to juggle conflicting priorities, they were vulnerable to scrutiny in the case of potential embarrassment. Farquhar was deeply resentful of these metropolitan criticisms. He described the *Anti-Slavery Reporter* as a ‘tissue of vile and disgusting calumnies from beginning to end’, which propagated ‘barefaced falsehoods and lies.’ The ‘sneering and insolent remarks on the tenderness of my early friendship for the slave trade’ he argued, referred to a time when the ‘Abolition Acts were not known at the Mauritius, and were not law there.’ John Irving likewise condemned the *Reporter*, lamenting that a ‘more libellous, scandalous, and generally untrue publication’ had never previously existed in the British press. ‘Its object is to degrade and stigmatise, and call into public observation every man connected to the colonies.’³⁰⁷

His impassioned defence did little to clear his name. A cloud of infamy remained until his untimely death in 1830. Governor-General Warrens Hastings had also ‘stood accused of nothing less than the

³⁰⁵ Stephen, Sir George, *Anti-Slavery Recollections in A Series of Letters Addressed to Mrs. Beecher Stowe* (Oxon: Routledge, 1971), p. 102.

³⁰⁶ House of Commons, *Slave Trading and the State of the Slaves at the Mauritius* (9 May 1826 vol 15 cc 1014-51) (London: Hansard).

³⁰⁷ John Henry Barrow, *The Mirror of Parliament* (London: 1829), 3, pp. 1999-2000 and 2001-2.

rape of India' in 1788. As William Dalrymple notes, although the accusations were tenuous – many occurred during Robert Clive's tenure – and Hastings was cleared of the charges, it 'scarred the final decades of his life.'³⁰⁸ The risk posed by potential rebuke and financial ruin was real and must have informed colonial decision-making. Yet, Farquhar was not entirely blameless in the whole affair. As McKenzie has highlighted, British officials were often caught between 'instructions from London and their desire to placate a collaborating class of local planters.' In these circumstances, 'opportunities for personal gain abounded.'³⁰⁹

Farquhar's protestations were undoubtedly informed by his associate's involvement in the local economy and his family's possession of Bel Ombre, the largest plantation in Mauritius.³¹⁰ Hall reported to the Colonial Office that 'so long as civil or military servants are permitted to be the proprietors of slaves, the French planters will neither respect our authority or example.' He noted Farquhar's secretary, Charles Telfair and 'all members of Mr Farquhar's family, have lately purchased more slaves than any planters in this colony, to cultivate an extensive sugar estate... and I will venture to assert... one half of the negroes they possess, are not registered.'³¹¹ To further complicate matters, Telfair was the registrar of Mauritius' Vice-Admiralty Court, which had direct responsibility for adjudicating cases of alleged slave trafficking.³¹²

After his capture of the *Succés*, Moresby had found letters that indicated Telfair's involvement in the slave trade, though he declined to report this to Farquhar. He did report that he believed a Mauritian resident owned the vessel but was unable to prove it.³¹³ The administration of early nineteenth-century colonial possessions was a complex affair. Governors found themselves trapped between the humanitarian expectations of their superiors in Whitehall and the dangers of

³⁰⁸ William Dalrymple, *The Anarchy: The Relentless Rise of the East India Company* (London: Bloomsbury Publishing, 2020), pp. 308-13.

³⁰⁹ McKenzie, *Imperial Underworld*, p. 113.

³¹⁰ Graham, pp. 58-72.

³¹¹ Cited in Anthony J. Barker, *Slavery and Anti-Slavery in Mauritius, 1810-33: The Conflict Between Economic Expansion and Humanitarian Reform Under British Rule* (London: Palgrave Macmillan UK, 1996), p. 26.

³¹² *Ibid.*

³¹³ *Ibid.*, p. 34.

discontent in the colonies. The real threat of public rebukes and financial ruin only complicated matters further. These tensions must have informed the decision to offer Said concessions which effectively legalised the slave trade in one half of the Western Indian Ocean in exchange for prohibition in the other.

As Farquhar highlighted, he scarcely had the resources to eliminate the slave trade in Mauritius, let alone the entire coastline of East Africa under the possession of Oman. By dividing the Western Indian Ocean between Oman's internal and external slave trades, they restricted the burden placed upon British cruisers and limited the range and remit of their seizures to waters within British jurisdiction. The decision to concede to Said the right to continue his internal traffic was a pragmatic decision that recognised the limitations of imperial resources. Although this decision did not satisfy London's desire for universal abolition, it did reflect the pragmatic decision-making colonial officials were required to make. The Moresby Treaty was a compromise between London's desire to expand prohibition and the realities facing colonial administrators who could not uphold British paramountcy if they pushed the question too far.

Their concessions to Said were a recognition that British imperialism relied on collaboration with informal partners to operate effectively, creating a space that was the product of multiple trajectories. These difficulties highlight the tensions within the imperial network that informed decision-making. Moresby stated Farquhar wished to prevent the Slave-trade with the Colonies under his Government, or cross the Seas in their neighbourhood to any European Possessions in America, or the West Indies.' Had Moresby presumed to 'treat with [Said] on the Suppression of the Slave-traffic to the neighbouring countries of his Dominions' he would have exceeded his instructions. Any interference with Oman's ability to continue their trade with the Middle East 'I was plainly instructed to disclaim...'³¹⁴

³¹⁴ Cited in Nwulia, *Britain and Slavery in East Africa*, pp. 43-44.

This reveals that before his arrival, the limitations of Moresby's remit were explicit. Farquhar had prioritised striking at Mauritius' main sources of labour over universal prohibition. Bombay wrote that the Governor 'now clearly understands that, it is not intended to interfere with the Mahometan Countries to the West of the line specified in the Treaty.' They concurred that 'any such interference would have been a constant source of misunderstanding' and that Said's consent to the capture of his ships east of the line 'is as great a concession as could possibly have been expected from a Prince in his circumstances.'³¹⁵ Although British influence during this period was strictly limited to enforcement of the terms of the General Treaty, the anxieties which influenced their decision-making in territories under more direct rule would also inform their approach to the Trucial Arabian slave trade.

3.4 - Trucial Arabian Slavery in the Early British Imagination

Although Padma Srinivasan argues that 'suppression of the slave traffic was the child of British policy and did not form a leading feature of the Indian empire,' it was not absent from Company calculations.³¹⁶ Hastings attempted to regulate slave trafficking in 1774 through two regulations designed to control the traffic in Bengal.³¹⁷ Lord Cornwallis' proclamation on 22nd July 1789 formally prohibited the exportation of slaves from Bengal, authorising rewards for the liberation of slaves and the capture of slave traffickers.³¹⁸ What made Cornwallis' proclamation so significant is that it predated the Slave Trade Act (1807) by a period of eighteen years. As Allen notes, it appears to have also been indicative of significant humanitarian sentiments among Company officials during the late-

³¹⁵ Ibid, p. 44.

³¹⁶ Padma Srinivasan, 'Slavery in Mauritius and the Moresby Treaty of 1822', *Indian History Congress*, 60 (1999), 1011-17 (p. 1011).

³¹⁷ *Accounts and Papers*, 15 (London: 1841), p. 182.

³¹⁸ Thomas M. Curley and Samuel Johnson, *Sir Robert Chambers: Law, Literature, and Empire in the Age of Johnson* (Madison: University of Wisconsin Press, 1998), p. 496.

eighteenth century. Although many of their private thoughts remain 'largely hidden from view,' their repeated characterisation of slave trading in official correspondence as 'barbarous' and 'repugnant' leaves 'little doubt.'³¹⁹

Indrani Chatterjee suggests that 'arguments over territorial jurisdiction of law... in the conduct of diplomatic relations between the British government of India and the princely states... constituted many different barriers' to prohibition. Company officials tried to 'play the abolitionist card selectively', which she argues limited their ability to effectively deal with slavery.³²⁰ However, as Andrea Major notes, Chatterjee's conclusions are only accurate concerning 'domestic slavery when imagined as a static internal institution.' Where the land-based slave trade involved the 'coercive acquisition of slaves' and their illegitimate movement across boundaries, it exercised 'significant British attention.'³²¹ Officials were beginning to pragmatically distinguish between the 'benign' practice of domestic slavery and the 'immoral' practice of slave trading to facilitate their expansion. They were able to rationalise their unwillingness to destabilise British paramountcy through an appeal to their alleged respect for the boundaries of the Indian household and domestic slaves' positions within it. Framing domestic slavery as a family issue allowed administrators to circumnavigate the potentially disruptive terrain of regulating households and supplanting the patriarchs they relied upon for support. The same pragmatism which had guided Farquhar's negotiations with Said was also applied to domestic slavery. By identifying qualitative differences between the slave trade and domestic slavery, officials could avoid violating this precarious boundary.³²² The emphasis by officials that most slavery in India was predominately domestic

³¹⁹ Richard B. Allen, 'Suppressing a Nefarious Traffic: Britain and the Abolition of Slave Trading in India and the Western Indian Ocean, 1770-1830', *The William and Mary Quarterly*, 66:4 (2009), 873-94 (pp. 880-87).

³²⁰ Indrani Chatterjee, 'Abolition by Denial', *Abolition and its Aftermath in the Indian Ocean, Africa and Asia*, ed. by Gwyn Campbell (London: Routledge, 2005), pp. 150-68 (p. 153).

³²¹ Andrea Major *Slavery, Abolitionism and Empire in India, 1772-1843* (Liverpool: Liverpool University Press, 2012), pp. 163-64.

³²² *Ibid*, p. 143.

allowed them to delineate between the brutal slavery of the West Indies and comparatively 'mild' slavery of the East.

As Bombay's penetration of Trucial Arabia increased, similar calculations began to shape their perceptions of slavery in the Persian Gulf. Early European accounts certainly included descriptions that were reminiscent of Transatlantic chattel slavery. William Heude described the slave market in Muscat, where 'three times a week slaves are exposed for sale and disposed of by auction or private contract...'³²³ Despite this, new ideas were emerging among British travellers around the period of the General Treaty. John Malcolm noted that although the sight of the sale of slaves was appalling, 'when we take a comparative view of the fate of the victims of this commerce, from the stain of which our own country is hardly yet purified, and which is still carried on, openly or clandestinely, by almost every power of civilised Europe, we shall be compelled to acknowledge the superior humanity of Asiatic nations.'³²⁴

Heude also supported this view, having 'subsequently... enjoyed more numerous and favourable opportunities of judging on the condition of household slaves, and of the conduct of their masters'. He declared that at Muscat 'it is certain, slaves are treated with a degree of humanity that would do honour to our climes.'³²⁵ Self-reflection was a common factor in these early accounts. John Johnson also observed that the state of slaves in the Gulf 'resembles that of an adopted child.' In contrast, the Dutch and Portuguese 'very often treat these hapless dependents harshly, beating them, and degrading them with marked contempt and unrelenting oppression.'³²⁶

Malcolm was eager to rally against the orthodox opinion that Trucial rulers were 'despots, and their subjects slaves; that the former are cruel, the latter degraded and miserable, and both equally

³²³ Heude, *A Voyage Up the Persian Gulf*, p. 24.

³²⁴ Malcolm, *Sketches of Persia*, pp. 16-18.

³²⁵ Heude, *A Voyage Up the Persian Gulf*, p. 25.

³²⁶ John Johnson, *A Journey from India to England through Persia, Georgia, Poland and Prussia in the year 1817* (London: Longman, 1818), pp. 12-13.

ignorant.³²⁷ During a meeting with Said, he observed that 'he never looked at or spoke to any of [his servants and slaves] but with kindness.'³²⁸ His impression of Muscat, Said and the cosmopolitan community of 'both Mahomedan and Hindu' merchants gave him 'a very pleasing impression of that place' and the 'manners and customs of the people' were in 'no way unfavourable.'³²⁹ Johnson observed that slaves would inherit possessions from their masters and that it in 'instances are not wanting in which they have been left sole heirs of the property which their care had helped to accumulate.'³³⁰

Heude noted that 'the hardest work in which they are employed, is in the plying of small canoes already noticed; a task of no great labour' and they were afforded intervals of rest. Slaves lived 'at their master's, board and sleep under his roof, eating of his dish, and drinking of his cup; and are never again exposed to *public* sale unless they misbehave; a good and faithful slave being so much valued, that when distress obliges his master to part with him, he disposes of him to some private friend, who esteems him the more for his approved fidelity.'³³¹ Johnson posited that the more humane treatment which Gulf slave masters exercised partly arose from their preferences for female slaves, who 'generally by their attachment and fidelity, desire and obtain the utmost esteem and affection. Their 'moral degradation' was not without compensation for 'while it reduces her to the state of slavery, it raises the slave some degrees higher in the social scales.'³³² Although they stopped short of condoning Trucial slavery, contemporary observers were keen to emphasise its comparative benignity.

As Gwyn Campbell argues, the qualitative meaning of slavery in the Indian Ocean is 'clearer if Western notions of a division of society into free and slave, and of slaves as property, are replaced by a vision of society as a hierarchy of dependency.' Slaves constituted only one of several unfree

³²⁷ Malcolm, *Sketches of Persia*, p. 12.

³²⁸ *Ibid*, p. 21.

³²⁹ *Ibid*, p. 15.

³³⁰ Johnson, *A Journey from India to England*, p. 13.

³³¹ Heude, *A Voyage Up the Persian Gulf*, p. 25.

³³² Johnson, *A Journey from India to England*, p. 13.

groups from which labour was drawn. These were reciprocal systems in which obligations implied some form of servitude to another individual of superior social status.³³³ Within this context, the concept of 'slave' and 'free' is of limited analytical utility. For most, it was security, food and shelter, rather than abstract concepts of liberty, that were of principal concern.³³⁴

The population of the Gulf formed part of a structure that encompassed diverse social positions, which provided fealty and service in return for protection. Personal security depended less on legal institutions, but rather on an attachment to an entity powerful enough to defend itself.³³⁵ Trucial slavery integrated its economic rationale within socialisation and was preoccupied with a necessity to invest in the reproduction of slaves. The importation of slaves who were young and female allowed for a 'socialisation, integration and reproduction of a heterogeneous society in a constant process of homogenisation.'³³⁶

After slaves were trained for service, Malcolm found they attained 'the condition of a favoured domestic; his adoption of the religion of his master is usually the first step which conciliates the latter.' Except for a few ports they were 'seldom put to hard labour' and there were 'no fields tilled by slaves, no manufactories in which they are doomed to toil; their occupations are all of a domestic nature, and good behaviour is rewarded by kindness and confidence, which raises them in the community to which they belong.'³³⁷ In the Gulf term slave 'is not one of opprobrium, nor does it even convey the idea of a degraded condition' rather they were 'part of their master's family' and were deemed the 'most attached of his adherents' often inheriting 'a considerable portion of his

³³³ Gwyn Campbell, Campbell, Gwyn, 'Introduction', in *The Structure of Slavery in Indian Ocean, African and Asia*, ed. by Gwyn Campbell (London: Frank Cass, 2006), pp. vii-xxxii (pp. xxii-xxiii).

³³⁴ Ibid, pp. xxiv-xxv.

³³⁵ Benjamin Reilly, *Slavery, Agriculture, and Malaria in the Arabian Peninsula* (Ohio: Ohio University Press, 2015), p. 53.

³³⁶ Sheriff, *Dhow Cultures of the Indian Ocean*, p. 116.

³³⁷ Malcolm, *Sketches of Persia*, pp. 18-19.

wealth; and not unfrequently... lose, by a marriage in his family, or by some other equally respectable connexion, all trace of their origin.³³⁸

These glowing reflections were not entirely altruistic, they were indicative of a growing desire to protect British paramountcy by justifying their inaction against the institution through appeals to its comparative benignity. This distinction of Trucial slavery as a primarily 'benign' domestic institution was pivotal to the delineation British officials made between the *institution* of slavery and the *traffic* of slaves. Yet, it was also reflective of similar rationalisations that were informing colonial administrators at the time of the Moresby Treaty. By conceptualising Trucial slavery as 'benign,' officials could more easily compartmentalise Oman's internal traffic lower on the scale of priorities compared to the plantation slaveries of the Mascarenes.

During this incubatory phase of Trucial anti-slavery, Bombay could point to the territorial compartmentalisation of the slave trade as a tentative first step towards eventual suppression, without risking their geopolitical position. Guided by political pragmatism, British Indian authorities and their subordinates balanced their desire to further abolition with paramountcy in Trucial Arabia, which was still in its early stage of development. Upsetting local elites by attacking slavery was viewed as antithetical to Bombay's position in the region. Pragmatism dictated they operated with the restraint demonstrated by the terms of the Moresby Treaty. While Pax Britannica remained in a primordial stage, further intrusion into the Trucial Arabian domestic sphere was considered risky. Officials were willing to compromise to maintain the integrity of their burgeoning legal space.

The Moresby Treaty was the result of multiple trajectories that shaped its terms through compromises. It combined the priorities of stakeholders through an extension of prohibition, the disintegration of French influence along India's periphery and the recognition of Oman's territorial sovereignty. It also reflected tensions between metropolitan humanitarian foreign policy and colonial administrative pragmatism, which prioritised the protection of British paramountcy. This

³³⁸ Ibid, pp. 18-19.

was a space not merely defined by the paternalistic whims of an 'official mind' emanating from London, but rather a network of competing and collaborating interregional trajectories. Rather than viewing the Moresby Treaty as an imperial imposition from above, it would be more accurate to view it as a compromise that reflected the priorities of three intersecting nodes within the imperial network.

Although Oman was forced to dispense with its lucrative traffic to the Mascarenes, it was not entirely subordinated to the humanitarian dictates of London. Recognition of their territorial sovereignty and retention of their internal slave trade were acceptable compromises. The same pragmatism that shaped the approaches of British colonial governors elsewhere was beginning to be applied to their interrelations with Trucial Arabia. While the Moresby Treaty signified a physical division through its delineation of Oman's internal and external slave trades, it was also indicative of an emerging ideological division between the traffic and the institution. Political pragmatism in the colonies had already dictated that administrators must balance their humanitarian commitments with a collaboration with large slave-holding populations. Informal rule was based on the cooperation of local elites. In the absence of sufficient resources, administrators feared that any direct attacks on the rights of slaveholders could jeopardise their position.

These anxieties informed the distinction between the 'benign' institution of domestic slavery and the 'malignant' practice of slave trafficking. Appeals to the institution's perceived 'benignity' and alleged predominance of its domestic characteristics were utilised to justify non-intervention due to fears of a potential backlash. Officials were able to justify their inaction through appeals to the potential disruption of their humanitarian projects interfering would allegedly entail, whilst protecting British paramountcy. It was also significant because it represented a physical division between the Trucial world to the west and the British to the east. The terms of the General Treaty and Britain's conceptualisation of themselves as maritime peacekeepers already represented a perception of a space that required re-ordering.

What the General Treaty lacked was a specific physical dimension. It was effectively a declaration of intent within an undefined space. It provided the terms around which a new normative order would be constructed, which defined maritime violence and slave trafficking as twin malfeasances inimical to the values of legitimate commerce and peaceful intercourse. However, its boundaries were vague. The Moresby Line set the parameters within which this legal space would be gradually constructed under the Trucial system. The slave trade was now confined within a space defined by its Middle Eastern artery. The Moresby Treaty was reflective of British officials' initial prioritisation of the restriction of supplies to markets within its jurisdiction. Though as Nwulia poignantly states, there was no 'early comfort' for slaves to derive from being told that 'henceforth he was beyond the reach of the grasping hands of the white Europeans' whilst remaining 'good game for the supposedly benign whites from Asia.'³³⁹

As Major notes, slaves in the Indian Ocean World moved 'through networks of acquisition' and shirked 'in and out of space of British authority.'³⁴⁰ British authorities' willingness to intervene depended upon their location within a spatial framework that prioritised local and geopolitical pragmatism over their metropolitan commitments to eradicate slave trafficking. Those who were 'fortunate' enough to find themselves enslaved by Europeans or Indians operating east of the Moresby Line were potential targets for liberation. Those to the west were destined for the 'benign' sphere of the Trucial domestic space. This delineation would inform their approach towards Trucial slavery, which would gradually form around a distinction between slave trafficking as a threat to the normative order of Trucial Arabia and slavery as the preserve of the domestic sphere of local rulers. This artificial division between the domestic sphere of Trucial Arabia and the maritime issues of slave trafficking and maritime violence would also inform how Britain began to construct their identity as a maritime peacekeeper. Despite initially assuming a more active role in regional politics, officials

³³⁹ Nwulia, *Britain and Slavery in East Africa*, p. 43.

³⁴⁰ Major, *Slavery, Abolitionism and Empire in India*, p. 185.

would soon be limited to the maritime sphere defined by the Moresby Treaty. With the issue of slavery temporarily sidelined, British officials in the Gulf began to refocus their energies upon the problem of 'piracy.' Whilst the Moresby Treaty had created a legal space within which slave trafficking was reluctantly recognised, similar restrictions upon maritime violence remained vague.

4.0 - Intervention, Maritime Violence and the Maritime Truces

After Ras al-Khaimah, British confidence in the Gulf was at an all-time high. The idea of establishing a permanent military base in the region was already under discussion and re-invoked following their victory. Although they were reluctant to become embroiled in a protracted land campaign, a rebellion by the Bani Bu Ali tribe in Oman after an alleged episode of piracy presented the first real test of Britain's credentials as a peacekeeper. The campaign was an unmitigated disaster, causing a severe blow to British prestige at a time when they were attempting to establish their precise role in the region. This resulted in a total withdrawal and the adoption of an official policy of non-interference in the internal affairs of Trucial Arabia. Instead, British officials began to conceive themselves as *laissez-faire* policemen, creating an artificial division between domestic and maritime spheres. However, it soon became apparent that the provisions which justified Britain's ongoing presence were inadequate. PRPG John MacLeod identified some alarming problems facing the British in their new role as maritime peacekeepers. Although the General Treaty had various prescriptions against 'plunder and piracy,' there also existed a potentially destructive loophole. Article II made a distinction between 'plunder and piracy' and 'acknowledged war,' which was recognised as a legitimate form of maritime violence. Rising tensions placed Britain's meagre naval resources on a collision course with a renewed episode of maritime violence, forcing them to re-assess existing measures. What would emerge from this episode of reflection was a compromise between local socio-political traditions and British imperialism. To examine these developments: Firstly, we will explore the aftermath of the second expedition against Ras al-Khaimah and Britain's search for a regional identity. By examining the development of British non-interventionism, we will establish how nothing was inevitable about Bombay's retreat into a self-enforced absence from the internal affairs of Trucial Arabia. Although non-intervention was the predominant doctrine of the Foreign Office, the situation in India was far more complex. British foreign policy fluctuated

depending on who occupied the position of Governor-General. While some adhered to the non-interventionist spirit of the India Act (1784), others were committed to securing British paramountcy. These fluctuations were inevitably transferred to Trucial Arabia, where the destructive capacity of British intervention was on full display through the submission of the Qawasim. After conquering Ras al-Khaimah, officials established a garrison on Qishm, as Britain and Trucial Arabia embarked on a period of mutual self-discovery. However, after the disastrous Bani Bu Ali campaign, Britain withdrew and Bombay enacted a strict policy of non-intervention. This would have serious ramifications for the Trucial system, as Britain began to largely confine itself to the role of maritime peacekeeper.

Secondly, we will discuss PRPG John MacLeod's assessment of the General Treaty after his appointment by Bombay. This will allow us to assess how the General Treaty was unfit for purpose by identifying deficiencies within its provisions. After the withdrawal of the Qishm garrison, Bombay was eager to assess how they could reliably enforce the General Treaty with only the Gulf Squadron. MacLeod was instructed to tour the Gulf and submit a report to Bombay, but in doing so the PRPG uncovered a myriad of potential complications. Most egregious among these was the ability of the signatories to engage in 'acknowledged war.' Under the terms of the General Treaty, only activities defined as 'plunder and piracy' were prohibited. Maritime violence due to legitimate disputes was entirely legal. The difficulty was the ability of British cruisers to distinguish between the two. MacLeod recognised that enforcing maritime peace would remain almost impossible if more effective measures were not introduced, but his untimely death set Britain on a collision course with a disruption of the tranquillity of the Persian Gulf.

Thirdly, we will explore how Trucial political structures functioned and how local authority influenced maritime violence. Here we will demonstrate that maritime violence was the result of escalating internal disputes and political instability, which spilt into the waters of the Gulf. Trucial rulers were dependent on the support and loyalty of their subjects, who retained significant

autonomy. Without firm support, rulers were vulnerable to being removed, whilst intertribal disputes could easily escalate into episodes of significant maritime violence. As 'acknowledged war' was perfectly legal, nothing prevented the signatories of the General Treaty from pursuing sea campaigns. Britain's decision to limit itself to the maritime sphere allowed conflicts to escalate and the absence of an effective naval deterrent rendered their efforts to prevent 'piracy' obsolete. Their commitment to non-intervention and the deficiencies in the General Treaty would combine to have a devastating effect.

Finally, we will examine the solution to these deficiencies through the formation of Maritime Truces. Here, we will establish how the ideas and priorities of multiple trajectories would be amalgamated to produce a successful compromise for the suppression of maritime violence. Abolitionists had begun to argue that legitimate commerce presented a viable remedy to the slave trade, which was viewed as a corruptive influence. Similar observations were made about piracy. British officials believed that the protection of maritime peace would encourage the development of 'legitimate' pursuits. The Maritime Truces were designed to facilitate the transition from 'predatory habits,' but they also recognised the importance of conforming to the socio-political traditions of protection seeking. Part of their success was Britain's willingness to perform a mediatory capacity in maritime disputes and extend protection to Trucial vessels. In doing so, they began to conform to the expectations of the protector-protégé relationship, which informed regional political considerations. The Maritime Truces succeeded in reducing large-scale maritime conflict because they provided incentives to the signatories. Although they were unable to conduct maritime campaigns against their rivals, Trucial rulers could appeal to the PRPG for mediation in disputes on the pearl banks. However, the prioritisation of British paramountcy would create further problems in the future despite these initial successes.

4.1 - The Foundation of British Non-Interventionism

Although the General Treaty indicated Britain's immediate plans, the precise nature of Britain's regional role was yet to be determined. The expeditions against Ras al-Khaimah demonstrated that officials in India were willing to act decisively when they believed the security of the subcontinent was threatened. The potential instability created by French pretensions along the Indian periphery had been enough to motivate them to mobilise a response. Threats to subcontinental security and British paramountcy were the trigger for intervention into Trucial Arabian politics. This was in line with the Ring-Fence Policy which guided Company rule between 1795-1813. Broadly speaking this was a policy of defending their neighbour's borders to safeguard British Indian territory.³⁴¹ Lee Warner describes this policy as one where authorities 'endeavoured as far as possible to live within a Ring-Fence, and beyond that they avoided intercourse with the chiefs.'³⁴² The Company's development of a policy of non-intervention coincided with its entry into Trucial Arabian politics. Clive's victory at Plassey had drawn India into the metropolitan spotlight, but this was not without costs. By the 1770s, the Company's financial record was under scrutiny, as it required government loans to remain solvent. According to James Vaughn, a 'congeries of British actors on the subcontinent... took the initiative and founded a colonial state under the corporation's auspices.'³⁴³ Parliament passed the Regulating Act (1773) to prevent the Company from acting without metropolitan oversight, but this proved to only be a half measure. As P.N Chopra, B.N. Puri, M.N. Das and A.C. Pradhan note, it has 'neither given the state a definite control over the Company, nor the

³⁴¹ Radhey Shyam Chaurasia, *History of Modern India, 1707 A.D. to 2000 A.D.* (New Delhi: Atlantic, 2002), p. 446

³⁴² Cited in B.B. Kumar, *Small States Syndrome in India* (New Delhi, Concept Publishing, 1998), p. 34.

³⁴³ James M. Vaughn, *The Politics of Empire at the Accession of George III: The East India Company and the Crisis and Transformation of Britain's Imperial State* (New Haven: Yale University Press, 2019), p. 5.

directors a definite control over their servants, nor the Governor-General a definite control over his Council, nor the Calcutta presidency a definite control over Madras and Bombay.³⁴⁴

It also failed to alleviate concerns about exploitation and corruption in the subcontinent. Vaughn argues that the E.I.C.'s territorial conquests were viewed as 'nakedly coercive in character' and for many Britons, Company imperialism was a 'reversion to the violence and overt domination that commercial society was supposed to overcome.'³⁴⁵ William Pitt the Younger passed the India Act (1784), establishing the Board of Control (BOC) which 'exercised considerable influence over Indian affairs and... had the deciding voice in all major issues.'³⁴⁶ As Hugh Tinker notes, Pitt acted 'partly to protect Bengal from the unchecked exploitation' of E.I.C. officials and 'partly to protect English party politics from the enormous pressure which the [E.I.C.], gorged on Indian profits, might exert.' Lord Cornwallis was appointed the 'first parliamentary Governor-General of India.'³⁴⁷

Crucially, Cornwallis was determined to adhere to a non-intervention policy, which was informed by the India Act and the wishes of the Government. Under its provisions, the pursuit of 'schemes of conquest and extension of dominion in India are measures repugnant to the wish, honour and the policy of this nation.' The Governor-General was not to declare wars without the 'express authority of the Court of Directors or of the Select Committee.'³⁴⁸ According to William Dalrymple, the two bills 'had done much to take control of political and military affairs of British India out of the hands of the Company directors... and into those of the Board of Control.'³⁴⁹ Cornwallis and his successor John Shore largely adhered to this principle, but their replacement Richard Wellesley embarked on a more proactive approach to foreign policy. Dalrymple describes Wellesley as 'unrepentantly, a government man,' who had 'come out east with two very clear goals in mind.' He was determined to

³⁴⁴ P.N. Chopra and others, *A Comprehensive History of Modern India*, 3 (New Delhi: Sterling Publishers, 2003), p. 88.

³⁴⁵ Vaughn, *The Politics of Empire at the Accession of George III*, pp. 228-29.

³⁴⁶ B.L. Grover and Alka Mehta, *A New Look at Modern Indian History: From 1707 to the Modern Times* (New Delhi: S. Chand, 2018), p. 200.

³⁴⁷ Hugh Tinker, *South Asia: A Short History* (Hawaii: University of Hawaii Press, 1966), p. 129.

³⁴⁸ Cited in M. Wylie, *Bengal as a Field of Missions* (London: W.H. Dalton, 1854), p. 33.

³⁴⁹ Dalrymple, *The Anarchy*, p. 337.

‘secure India for British rule and was equally determined to oust the French from their last footholds on the subcontinent’ with the support of Henry Dundas, BOC President whose ‘Francophobia was transmitted to a receptive Wellesley’ before his departure to India.³⁵⁰

Wellesley’s Subsidiary Alliance System reversed the non-intervention policy, leading to a rapid expansion of British influence through a promise of non-interference in the internal affairs of states who agreed to Subsidiary Treaties. Henry Beveridge argued that ‘from the day he landed in India to the day he quitted it, [Wellesley] had been constantly engaged’ in either schemes of conquest or extension of dominion. He describes non-intervention as a ‘broken reed,’ stating that even Cornwallis ‘when he tried to act upon it, found it impracticable.’ Shore’s adherence to the principle had produced a ‘cowardly, mean-spirited policy, which backed out of engagements when it became inconvenient to fulfil’ them, causing British reputation to ‘sink rapidly.’³⁵¹

The fluctuating nature of British policy was highlighted by Wellesley’s successors George Barlow and Lord Minto, who reverted to non-interventionism. As V.D. Mahajan notes, Minto had acted as BOC President before his appointment, and he arrived with the ‘firm conviction that the policy of non-intervention was in the best interests’ of Britain. Yet, his own replacement Lord Hastings was forced to abandon Minto’s policy. It was impossible to follow, as there were multiple dangers which precluded further interventions.³⁵² Similar disagreements were translated via British interrelations with Trucial Arabia through the imperial network. Wellesley’s arrival coincided with the decision to form the Anglo-Omani alliance. The Treaty of Friendship (1798) was undoubtedly part of his broader campaign of Anglo-French rivalry.

Heated disagreements over non-intervention occurred in debates surrounding Britain’s response to the Qawasim. James Silk Buckingham alleged an order had been issued directing all the commanders

³⁵⁰ Ibid.

³⁵¹ Henry Beveridge, *A Comprehensive History of India, Civil, Military and Social*, 2 (London: Blackie, 1862), p. 802.

³⁵² V.D. Mahajan, *Modern Indian History* (New Delhi: S. Chand, 1990), pp. 170-72.

of the Bombay Marine ‘not on any consideration to attack or molest these *innocent* natives of the Gulf’ under the threat of the displeasure of Bombay. He alleged the GIB Johnathan Duncan had reprimanded a commander, ‘for disobeying the orders given, and daring to molest the *innocent* and *unoffending* Arabs of these seas.’ Duncan, he continued, ‘from ignorance of the character of this people, could never be persuaded that they were the aggressors, and constantly upbraided the officers of the English vessels with having in some way provoked the attacks of which they complained – continuing still to insist on the observance of the orders, in not firing on these vessels until that had first been fired at by them.’³⁵³

Despite his best efforts, Charles Davies found ‘no record of any such standing orders’ in the British archives, although he concedes this proves nothing either way. Contrary to Buckingham’s claims, the commander of the *Fury*, Lieutenant Charles Gowan and his crew, appear to have been commended for their exemplary behaviour, rather than reprimanded.³⁵⁴ Although Buckingham’s criticisms may have been informed by his conflict with Company officials, they must not be entirely dismissed. His sources likely included officers of the Bombay Marine. His comments reflected their views, as they were increasingly critical of government orders and the equipment available to them.³⁵⁵ Similar concerns were also shared by contemporaneous officers stationed in the Mediterranean. Vice-Admiral Nelson was frustrated over his inability to act against Algiers, who he described as ‘getting saucy.’³⁵⁶ Despite his frustrations, Nelson felt his hands were bound. He wrote that should he act, he ‘[knew] what will be said against me, and how little support I shall experience.’³⁵⁷ There was a demonstrable appetite among British officers to engage more directly with piracy, one which was also shared by officials within the British Indian administration.

³⁵³ Buckingham, *Travels in Assyria*, pp. 411-15.

³⁵⁴ Davies, *Blood-Red Arab Flag*, pp. 103-4.

³⁵⁵ *Ibid*, p. 104.

³⁵⁶ Sir Nicholas Harris Nicolas, *The Dispatches and Letters of Vice Admiral Lord Viscount Nelson*, 4 (London: Henry Colburn, 1845), pp. 58-59.

³⁵⁷ *Ibid*, p. 113.

Although they were reluctant to engage with the Wahhabis, the expeditions against Ras al-Khaimah revealed that Bombay were willing to consider intervention. The question of establishing a permanent base in the Gulf was also under discussion in India. John Malcolm had attempted to persuade the Persian government to either cede or lease Qishm or Hengam. As Lord Curzon noted, 'the land-locked bay between Hengam and Qishm was recommended... as [a] naval station, having an easy and excellent anchorage', but these attempts failed and 'it was never occupied.'³⁵⁸ He also inserted Article VII into the Treaty of Friendship (1798), which declared that "whenever the English shall be disposed to establish a factory [at Bandar Abbas], making it as a fort, I have no objection to their fortifying the same, and mounting guns thereon... and to forty or fifty English gentlemen residing there, with seven or eight hundred English sepoy.'³⁵⁹ Malcolm refocused his attention on Kharg in 1808, which he recommended should be acquired by force if their advances were rejected.³⁶⁰ Although Bombay ignored these suggestions, officers were instructed to report back on suitable locations to support future military endeavours.

Despite facing competition from the French to secure an island base in the Gulf, and even an instruction to Malcolm to occupy Kharg, the issue would lay dormant for almost a decade.³⁶¹ By 1817, Henry Willock suggested to Foreign Secretary Viscount Castlereagh that the acquisition of a base in the Gulf would enable the British to 'check the pirates [and] uphold our influence in Persia', which he believed was liable to fall under the sway of Russia.³⁶² It would also act as a deterrent to further French pretensions. According to D.L. Hafner, Castlereagh recognised that intervention occupied a 'crucial but potential destructive position within a balance of power international

³⁵⁸ Cited in Ewans Martin, *George Nathaniel Curzon: Collected Writings, Travels in Asia* (London: Routledge, 2008), p. 271.

³⁵⁹ See Appendix - Treaty of Friendship, 12th October 1798 (Arabic Translation).

³⁶⁰ Farhang Mehr, *A Colonial Legacy: The Dispute Over the Islands of Abu Musa, and the Greater and Lesser Tumbs* (Lanham: University Press of America, 1997), p. 106.

³⁶¹ Kourosh Ahmadi, *Islands and International Politics in the Persian Gulf: The Abu Musa and Tunbs in Strategic Context* (London: Routledge, 2008), p. 16.

³⁶² Cited in Edward Ingram, *Britain's Persian Connection, 1798-1828: Prelude to the Great Game in Asia* (London: Clarendon Press, 1992), p. 217.

system.' He believed that intervention should be reserved for maintaining peace and stability within systems. If used recklessly, it risked destabilising regional politics.³⁶³

After the destruction of Ras al-Khaimah, it was determined that a base within a short sailing distance with enough military force would deter the local sheikhs from returning to their 'predatory habits.'³⁶⁴ Qishm was identified as an ideal site. The island was included in the lease of Bandar Abbas, which was possessed by Oman who had already consented to the construction of a fortified factory under the Treaty of Friendship (1798). Officers received orders which read as 'a measure to most effectually conducive to the permanent suppression of piracy on the Persian Gulf, the occupation by the British Government of a central and commanding situation appears to be indispensable.'³⁶⁵ It was understood the island belonged 'in full sovereignty to Sayyid Said... and should the reports that may be received from [Grant]... be favourable to the measure now suggested, the necessary negotiation will be opened for obtaining possession of the spot that may be fixed upon for forming the establishment.'³⁶⁶

The exploitation of the Anglo-Omani alliance allowed Bombay to construct a pretext for occupation. By January 1820, Elphinstone ordered officers to station forces on Qishm 'whatever may be the sentiments of the Persian Government on the subject.'³⁶⁷ Although he warned the Persians of the consequences of refusal, Henry Willock reported they were 'not very pleased with the British proceedings... and by no means welcomed the idea of the British occupation.'³⁶⁸ Despite their protestations, Britain stationed infantry on Qishm for the next three years. To support these efforts,

³⁶³ D.L. Hefner, 'Castlereagh, the Balance of Power, and Non-Intervention', *AJPH*, 26:1 (1980), 71-84 (p. 71).

³⁶⁴ Kelly, *Britain and the Persian Gulf*, p. 167.

³⁶⁵ Cited in Ahmadi, *Islands and International Politics in the Persian Gulf*, p. 17.

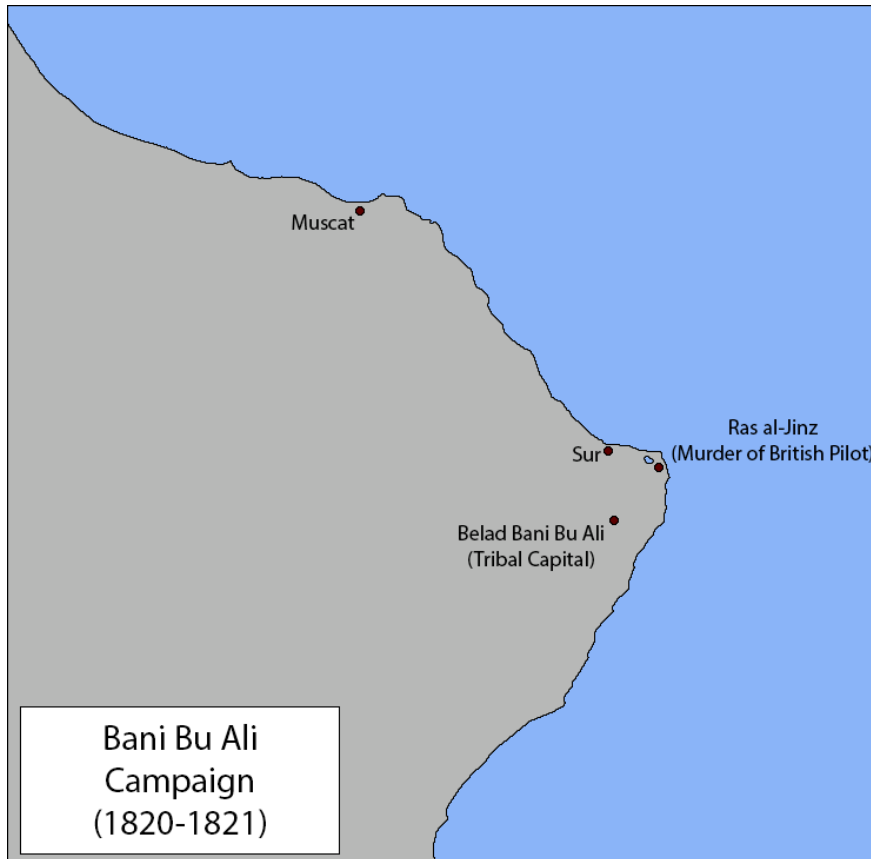
³⁶⁶ Ibid.

³⁶⁷ Cited in Samuel Pyeatt Menefee, *Draft Casebook on Oceans Law & Policy*, 1 (Charlottesville: University of Virginia Press, 1992), p. 62.

³⁶⁸ Cited in Ahmadi, *Islands and International Politics in the Persian Gulf*, p. 18.

the Bushire Resident (later PRPG) was assigned a Gulf Squadron, which was established to patrol and reinforce the terms of the General Treaty under a practice known as 'watch and cruise.'³⁶⁹

Map 4.0 – Important sites in the Bani Bu Ali Expeditions (1820-1821)



With the establishment of the Qishm garrison, Bombay was willing to at least consider a more active role in Trucial Arabia, as they sought to establish the precise nature of British imperialism. At the very least, they were willing to maintain an active presence to secure regional stability. Yet, no strict policy existed. Fluctuating decisions in India provided little precedent for the officers in charge of Bombay's interests. The first test of the garrison occurred when members of the Bani Bu Ali tribe of south-eastern Oman seized and plundered some ships in 1820. Although Oman's absence from the General Treaty did not obligate a response. Captain Perronet Thompson sent a messenger, who was

³⁶⁹ Onley, *The Arabian Frontier of the British Raj*, p. 45.

violently rebuffed at Ras al-Jinz. The Bani Bu Ali were already in open rebellion against Muscat after the Wahhabi invasion in 1811.³⁷⁰

These actions convinced Thompson to support Britain's Omani allies, but the expedition was a humiliating disaster. They were taken by surprise near Belad Bani Bu Ali and 'the Bedowins were amidst them, the sepoy could not use their bayonets, but were hewn down by the long swords of their foes as they stood, and the whole soon became a mass of inextricable confusion.'³⁷¹ Lionel Smith was immediately despatched with a much larger force to recover British prestige.³⁷² After fierce fighting, the Bani Bu Ali surrendered and a regiment was sent to prevent escape whilst their sheikh was deported to Bombay with the remainder of the British forces. Britain's confidence was severely wounded. Davies notes that the whole 'episode of foolhardy and unauthorised involvement in the interior proved a salutary lesson.'³⁷³ Thompson was reprimanded, an act of condemnation which J.B Kelly describes as a 'trifle unrealistic', as after telling him to initially co-operate with the Omanis, they then censured him 'for giving the impression that British arms were being employed' to help them subdue their rebellious subjects.³⁷⁴

After becoming embroiled in a controversial squabble with Tehran, the Bushire Resident Lieutenant Bruce returned to Persian in 1822 and signed the Treaty of Shiraz. The preamble expressed regret for some *unfortunate* acts by British officials, including charging that the expedition against Ras al-Khaimah had violated their previously amicable relations. The Treaty obligated Britain to withdraw from Qishm, although Bombay was furious. By 1823, their troops returned to India and were replaced by a naval station at Basaidu (See Map 4.1).³⁷⁵ After their withdrawal, political supervision in the Gulf was devolved to John MacLeod, who replaced the disgraced Bruce. MacLeod was named

³⁷⁰ Michael Clodfelter, *Warfare and Armed Conflicts: A Statistical Encyclopedia of Casualty and Other Figures, 1492-2015*, 4th edn (Jefferson: McFarland, 2017), p. 213

³⁷¹ Andrew Crichton, *The History of Arabia: Ancient and Modern*, 2 (New York: Harper & Brothers, 1842), p. 154.

³⁷² Lorimer, *Gazetteer of the Persian Gulf*, p. 201.

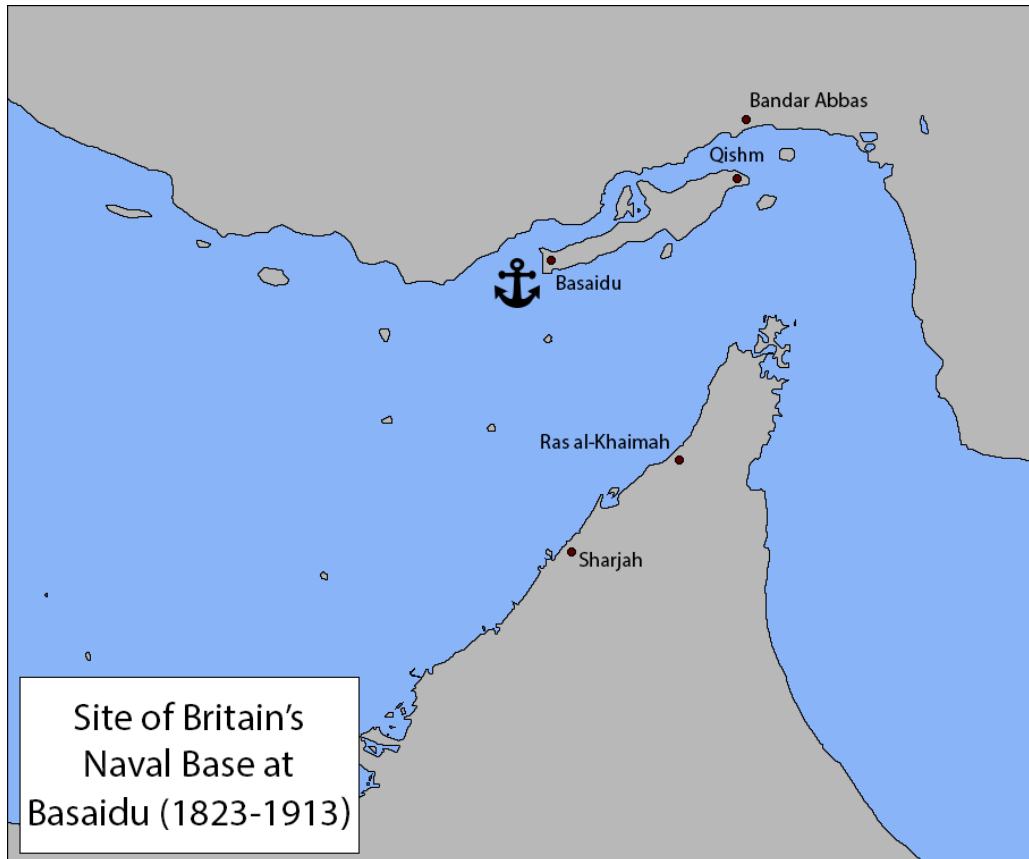
³⁷³ Davies, *Blood-Red Arab Flag*, p. 274.

³⁷⁴ Kelly, *Britain and the Persian Gulf*, p. 179.

³⁷⁵ Ahmadi, *Islands and International Politics in the Persian Gulf*, pp. 19-21 and Mehr, *A Colonial Legacy*, p. 109.

the first PRPG after the Bushire and Basra Residencies were combined, with the former serving as the main headquarters for the newly inaugurated position.

Map 4.1 – Britain’s Naval Station at Basaidu relative to the former garrison at Qishm



Eager to avoid a repeat of the Bani Bu Ali disaster, he was requested to inform Said that ‘it will be your duty to enforce... the determination of the British Government strictly to adhere to the line of policy it has observed.’ Bombay argued there was nothing in their relations with Muscat that required any ‘special instruction, except the renewal on your part of an assurance that [Said] will continue that friendship which has hitherto proved reciprocally advantageous to the two States.’³⁷⁶ This ‘line of policy’ was strict adherence to non-intervention in the internal affairs of Trucial Arabia. Without a military garrison, future PRPGs were expected to limit themselves to naval

³⁷⁶ London, BL, India Office Records and Private Papers, IOR/R/15/1/28, fols 1-8, Letter No. 1584 of 1822 from Secretary to Government to John Macleod, 12 November 1822
<https://www.qdl.qa/en/archive/81055/vdc_100023483593.0x000006>.

demonstrations. However, there was nothing inevitable about their decision to commit themselves to an official policy of non-intervention. Although the India Act required permission for any aggression campaigns, the text itself only referred to India and had already proven flexible since its inception.

After the General Treaty, the precise boundaries of their role in the Persian Gulf were yet to be determined. Thompson had ostensibly intervened in response to alleged piracies, an act they were openly committed to suppressing. The Wahhabi collapse had allowed Britain to subdue the Qawasim without the threat of a protracted land campaign. By 1820, Bombay was looking to protect its position and the security of the Indian periphery. It was under this pretext that they established the Qishm garrison. Although this does not indicate Bombay was looking to assume an aggressive interventionist policy, it does indicate a willingness to entertain a more significant deterrent to reinforce the General Treaty through their subordinates in the region. There was no indication before the Bani Bu Ali expedition of any intention of withdrawing British forces from Qishm. On the contrary, it was the result of nearly two decades of discussion.

Bombay's later dissatisfaction with the perceived over-generosity of Bruce highlights that Britain was in no rush to satisfy Persian complaints. Had Thompson succeeded, it is unlikely that the garrison would have been so hastily withdrawn. Despite this departure, Bombay remained committed to the suppression of 'piracy.' The real significance of the Bani Bu Ali campaign was not the withdrawal of the Qishm garrison, but its contribution to the artificial division between domestic and maritime spheres. Deprived of the garrison, the PRPG would be restricted to naval demonstrations, while Bombay remained committed to an official policy of non-interference in the domestic affairs of Trucial Arabia. British imperialism would now be expressed through the construction of a maritime legal space dedicated to upholding regional stability.

4.2 - The General Treaty and 'Lawful War'

After the withdrawal of the Qishm garrison, the preservation of the security of the Gulf was delegated entirely to the Gulf Squadron. During deliberations in 1819, Francis Warden had warned against throwing away the 'good effects of the forthcoming expedition' through 'rash and ill-judged policy.' If Britain's interference was not 'regulated by a considerate regard to the rights of the various powers inhabiting its shores', they risked sowing the seeds of 'further piracies instead of eradicating those which have grown to maturity.' The confidence of the Trucial rulers had to be won through conciliation and 'just and generous' conduct towards them.³⁷⁷ Bombay dispatched PRPG John MacLeod to 'suggest a plan for securing authentic intelligence of the proceedings of the several Chiefs on the coast and a ready communication with them should they appear of a questionable character.' He was instructed to 'adopt the plan at once if not attended with much expense,' but also to compile a more substantive review of Britain's position in Trucial Arabia.³⁷⁸

The PRPG departed in mid-January 1823 for a tour of the coast from Rus Musandam to Bahrain, where he met with the signatories and his native agents. He returned in early February, where he submitted his recommendations to Bombay.³⁷⁹ Upon his arrival, MacLeod immediately dispatched a letter to Captain Taylor, Political Agent in Basra, informing him of the withdrawal of the Qishm garrison. 'Under these circumstances,' he wrote, 'Government is desirous of establishing an efficient system of control over the pirate ports, by means of the cruizers, which are to be stationed along the Arab coast.' Instructions were to be issued by the Superintendent of the Bombay Marine to the squadron to carry the arrangement into effect – but MacLeod held some reservations. It was his

³⁷⁷ Cited in Kelly, *Britain and the Persian Gulf*, p. 148.

³⁷⁸ London, BL, India Office Records and Private Papers, IOR/L/PS/20/C248C, p. 150, Précis of correspondence regarding the affairs of the Persian Gulf, 1801-1853, 1906
<https://www.qdl.qa/en/archive/81055/vdc_100023547162.0x0000ac>.

³⁷⁹ Onley, *The Arabian Frontier of the British Raj*, p. 93.

personal belief that for the purpose they were intended 'I understand that the whole naval force in the Gulf will be barely sufficient.'³⁸⁰

In a letter to Bombay, he reiterated these concerns to his superiors. He noted that since the General Treaty 'no trial has yet been made of the efficacy of a Marine Force alone in suppressing piracy, nor could it be fairly judged of, as long as the moral effect produced by the presence of the military station here existed.'³⁸¹ He noted that it was 'difficult to say what may be the effect of the removal of the troops... their presence was certainly of the utmost use in preserving tranquillity.' While the Squadron had convinced the sheikhs that 'we do not mean to withdraw our control,' he was dubious of his ability to reinforce the terms of the General Treaty.³⁸²

MacLeod was under no illusions that it would be dangerous to rely on the Bombay Marine alone. More alarmingly, he also believed deficiencies further handicapped them in the General Treaty. He believed that it was essential for provisions relating to flags and papers to be more strictly enforced, as it was the 'only security we possess for enabling us to detect and repress piratical attempts.'³⁸³ Although he doubted this would be effective, they ought to use every power available to them. Articles III and V had obligated the signatories to carry a new flag and ensure each of their vessels had a register and a port clearance to be produced upon request by a British cruiser. Each register was expected to include the name, length, breadth and capacity of the vessels. Their port clearance required the name of the owner, the name of the *nakhoda* (captain), the number of men and arms

³⁸⁰ London, BL, India Office Records and Private Papers, IOR/R/15/1/27, Letter from John Macleod to Captain Hardy, 23 May 1823 <https://www.qdl.qa/en/archive/81055/vdc_100023673714.0x00001c>.

³⁸¹ London, BL, India Office Records and Private Papers, IOR/R/15/1/30, fols 3-8, Letter No. 3 of 1823 from John Macleod to Francis Warden, 10 January 1823 <https://www.qdl.qa/en/archive/81055/vdc_100023649081.0x000010>.

³⁸² London, BL, India Office Records and Private Papers, IOR/R/15/1/30, fols 12-30, Letter No. 8 of 1823 from John Macleod to Francis Warden, 27 February 1823 <https://www.qdl.qa/en/archive/81055/vdc_100023649081.0x000022>.

³⁸³ BL, IOR/R/15/1/30, Letter No. 3 of 1823, 10 January 1823.

and the port of origin, their time of departure and their destination. These both required the signature of the ruler of the port of origin.³⁸⁴

MacLeod proposed this system could be more effective if the registers were issued by the Senior Officer of the squadron, who he requested to revisit the ports as soon as convenient. Under this proposal, the Squadron would need to make regular visits. This meant it was desirable to identify a 'particular place of rendezvous' for the Commodore in the Gulf 'where he could at all times be found and heard of.'³⁸⁵ He conceded any final decision was Bombay's, but he was keen to stress the importance of maintaining a visible deterrent within the vicinity of Trucial Arabia. Even if MacLeod's suggestions were implemented, he believed the main obstacle to their attempts to suppress 'piracy' was the 'hostilities of the maritime tribes amongst themselves at sea.'³⁸⁶ He was not alone in this assessment; Warden had warned that the real cause of piracy was maritime warfare. Intermittent conflict was an 'excellent breeding ground for piracy and violence.'³⁸⁷ MacLeod believed it was 'hardly possible' to distinguish between vessels intended for war or piracy and those intended for trade.³⁸⁸ Violence was not confined to any specific class of vessel, they could be deployed for either purpose.

In Europe, there existed a long history of privateering. Privateers were licensed plunderers who attacked merchant vessels of a declared enemy, while pirates were unlicensed plunderers. It was this distinction that likely informed Grant's differentiation between 'plunder and piracy' and 'acknowledged war' in Article II. Privateers were a valuable tool in European conflicts and their use developed rapidly as a result.³⁸⁹ The difference between a pirate and a privateer was the legitimacy

³⁸⁴ See Appendix - The General Treaty for the Cessation of Plunder and Piracy by Land and Sea, 5th February 1820.

³⁸⁵ BL, IOR/R/15/1/30, Letter No. 3 of 1823, 10 January 1823.

³⁸⁶ Ibid.

³⁸⁷ Cited in Hawley, *The Trucial States*, p. 110.

³⁸⁸ London, BL, India Office Records and Private Papers, IOR/R/15/1/30, fols 49-51, Letter No. 24 of 1823 from John Macleod to William Newnham, 5 May 1823

<https://www.qdl.qa/en/archive/81055/vdc_100023649081.0x00006c>.

³⁸⁹ Edward Phillips Statham, *Privateers and Privateering* (New York: Cambridge University Press, 2010), p. 3.

attributed to their behaviour by an official state through a letter of marque.³⁹⁰ In the Gulf, there were no letters of marque to distinguish between who was and was not acting for any specific ruler. Their ability to operate successfully depended on securing protection from a regional power willing to legitimise their behaviour through financial and military support. Through various phases of his career, Rahmah ibn Jabir acted both independently and through alignment with his arch-rivals Bahrain, as well as the Persians, Omanis and Wahhabis. He was able to astutely navigate the political web of the Gulf. While his exploits were often piratical, they 'were performed as a rule under the pretext of lawful warfare.' More importantly for Britain, 'towards the subjects and officials of the British Government, even at a period when no respect was shown for them by the Qawasim, his conduct was scrupulously correct.'³⁹¹

Accusations of 'piracy' may have provided a useful rhetorical device to justify British intervention, but it was not a label Trucial Arabians recognised. While accusations of piracy are often framed as rhetorical justifications for British imperialism, Trucial rulers were willing to use European definitions to their advantage within the new order established by the General Treaty. On 29th March 1823, MacLeod reported to William Newnham that the Qasimi Sheikh Sultan bin Saqr had recently deposed Abdullah bin Rashid of Umm Al Quwain. Abdullah had already protested to MacLeod that he had been forced to unwillingly submit to Sultan. However, during a voyage to assist the Sheikh of Charrack, Sultan quickly accused him of piracy. He denounced him and requested MacLeod's assistance in punishing Abdullah, before proceeding to take possession of Umm Al Quwain. MacLeod refused to become involved, doubting Abdullah had committed any such acts, but the incident reveals how Sultan was content to muddy the waters for his political advantage.³⁹²

³⁹⁰ Georg Friedrich Martens, *An Essay on Privateers, Captures, and Particularly on Recaptures: According to the Laws, Treaties and Usages of the Maritime Powers of Europe* (New Jersey: Lawbook Exchange, 2004), p. 20.

³⁹¹ Lorimer, *Gazeteer of the Persian Gulf*, p. 789.

³⁹² London, BL, India Office Records and Private Papers, IOR/R/15/1/30, fols 37-40, Letter No. 15 of 1823 from John Macleod to William Newnham, 29 March 1823
<https://www.qdl.qa/en/archive/81055/vdc_100023649081.0x000054>.

The primary aim of the General Treaty was to eradicate what Britain called ‘plunder and piracy’ and ‘lasting peace between the British Government and the Arab tribes.’ Article I declared a ‘cessation of plunder and piracy by land and sea on the part of the Arabs.’ Article VII required a cessation of ‘plunder and piracy’ and for the signatories to act against transgressors ‘according to their ability and circumstances, whilst Article VIII prohibited ‘putting men to death’ after they had given up their arms. Article IV, however, allowed the ‘pacificated tribes’ to ‘continue in their former relations,’ with the exception that they were to be at peace with the British ‘and shall not fight with each other.’ At first glance, Article IV appears to provide for a prohibition of intra-tribal conflict beyond ‘plunder and piracy,’ but it was directly contradicted by Article II, which made an explicit distinction between ‘plunder and piracy’ and what it described as ‘acknowledged war.’

Acknowledged war was ‘that which is proclaimed, avowed, and ordered by government against government. ‘Piracy and plunder’ was the ‘killing of men and taking of goods’ without such a proclamation. Given Article II’s explicit distinction, the phrase ‘shall not fight with each other’ in Article IV was deceptively vague. It provided no clear indication whether ‘fighting’ included both ‘piracy and plunder’ and ‘acknowledged war,’ or whether one was exempt and the other not. In the absence of such clarity, contemporary testimony appears to suggest that ‘acknowledged war’ was considered exempt. MacLeod noted Britain had ‘no right to interfere’ in quarrels. Local rulers were perfectly entitled to ‘openly proclaim’ that they intended to embark upon a vessel intended for ‘lawful war.’³⁹³

MacLeod was anxious about the potential problems these deficiencies posed to his instructions. In a letter to William Newnham, he admitted that ‘I found the greatest difficulty in defining strictly to the Arab chiefs, the distinction between piracy and their maritime wars.’ He warned his superiors that the ‘precise definition of the term may I fear soon come [into] discussion.’ Cautions against acts of ‘piracy’ were unlikely to prove sufficient in the long term. Any attempt to provide a definition was

³⁹³ BL, IOR/R/15/1/30, Letter No. 3 of 1823, 10 January 1823.

difficult because Article II stipulated that 'all that is required to render their wars at sea lawful' was a prior declaration. The signatories were not obliged to inform the Residency of any proclamation in advance, and they considered themselves fully entitled to declare war. Lawful war could be declared at any time. If violence was confined to the declared target, only the killing of prisoners and carrying off of slaves could be distinguished as piracy. These acts were notoriously difficult to prove, but the 'mere capture' of unarmed vessels from hostile tribes was 'authorised in the warfare of civilised nations.'³⁹⁴

MacLeod held similar reservations towards Article IX. He stated that 'in whatever sense the words of the treaty may be understood by either party, I am convinced that our utmost endeavours to abolish the slave trade... will be ineffectual.'³⁹⁵ As he correctly observed, the signatories were only obliged to cease the 'carrying off' of slaves, there was no existing provision preventing them from purchasing or transporting slaves. Similarly, neither had the Moresby Treaty (1822) provided any restrictions on their ability to participate in the East African slave trade. The weaknesses of these provisions meant that British officials were posed with similar problems in their attempts to suppress both maritime violence and slave trafficking, though it must be noted they pursued the former with more significant vigour initially.

Without a license to intervene more directly and with the obvious deficiencies of the General Treaty, Bushire's early efforts to suppress maritime violence were effectively neutered. Bombay's adoption of an official policy of non-intervention also prohibited Macleod from involving himself in the internal affairs of the signatories to effectively mediate escalating tensions. Difficulties in differentiating acts of violence as those of 'plunder and piracy' or 'lawful war' only compounded matters further. Despite this, MacLeod was adamant that the principal obstacle to British attempts to suppress piracy was the 'great danger[s] that the hostilities of the maritime tribes amongst

³⁹⁴ BL, IOR/R/15/1/30, fols 49-51, Letter No. 24 of 1823 from John Macleod to William Newnham, 5 May 1823.

³⁹⁵ *British and Foreign State Papers, 1847-1848*, 36 (London: Harrison, 1861), p. 702.

themselves at sea' presented. He asked that his superiors 'will not suppose that I am magnifying the dangers of the case.'³⁹⁶

The PRPG was adamant that the Gulf could easily be involved in 'very great disorders' before any commission of piracy would entitle him to intervene. 'There is a risk,' he concluded, 'that the petty warfare of the tribes may have increased so much before we can put a stop to it as to have spread by gradual and insensible digress into uncontrollable piracy against all the native powers of the Gulf.'³⁹⁷ These warnings would prove remarkably prescient, his untimely death after a short illness was rendered more tragic as his protestations were ultimately ignored.³⁹⁸ The decision to restrict British efforts to the maritime sphere through a self-enforced absence from internal affairs would combine with deficiencies in the General Treaty and an insufficient naval deterrent to devastating effect.

4.3 - Local Authority and Maritime Violence

Trucial rulers depended on the goodwill of their subordinates and their ability to maintain the loyalty of their extended families. This made them vulnerable to shifting political loyalties. One of the distinctive features of Trucial Arabian political history was the frequency at which rulers were challenged. Between 1793-1833, four of the Al-Nayhan rulers of Abu Dhabi were either murdered or deposed by their children or siblings. In Oman, Saif bin Sultan II ruled on four separate occasions after being deposed, before his Persian benefactors murdered him. Five other claimants to the Imamate were either murdered or killed in battle during the Yaruba civil war between 1718-1749.

³⁹⁶ BL, IOR/R/15/1/30, Letter No. 24 of 1823, 5 May 1823.

³⁹⁷ Ibid.

³⁹⁸ London, BL, India Office Records and Private Papers, IOR/R/15/1/30, fol. 80, Letter from Colin Mactavish to Captain Henry Hardy, 20 September 1823
<https://www.qdl.qa/en/archive/81055/vdc_100024054362.0x00004d>.

Although the Al Bu Said were reasonably secure, Said bin Sultan had himself been involved in the murder of his predecessor, whilst his father had seized the throne from his brother, Hamad, who had deposed their elder brother, Said. Although Sultan bin Sar ruled for sixty-three years, as we have seen, he was also deposed during the height of the Qawasim's activities. Trucial Arabian politics were fraught with internal divisions and intertribal conflicts, which inevitably escalated into expressions of maritime violence and activities the British regarded as 'piracy.' However, through their adoption of an official policy of non-intervention, Bombay had removed itself from any mediatory involvement in these conflicts. The decision to draw an artificial division between domestic and maritime spheres undermined their ability to ameliorate potential catalysts for escalations into maritime violence.

According to Allen Fromherz and Javier Guirado Alonso, tribes, 'including those without ruling power,' still matter in the Gulf as the 'social structure... continues to be determined by the affiliation of each family and individual to confederacies of tribes.'³⁹⁹ For this study, tribe shall refer to Kenton Bell's definition of a 'group of people bound by kinship and typically associated with a particular territory.'⁴⁰⁰ Although the term was used to justify supremacist theories of stadial human development under the 'civilising mission,' this more neutral application is still used by sociologists studying contemporary Gulf society.⁴⁰¹ In the absence of a strong system of administration, rulers relied on the loyalty of those they could gather around them.⁴⁰² Boundaries were fluid and defined by political loyalties in a tribal hierarchy and sovereignty was defined by people rather than territory.

³⁹⁹ Allen Fromherz and Javier Guirado Alonso, 'The Ties that Bind: Tribes and Borders in the Gulf', *Georgetown Journal of International Affairs* <<https://gjia.georgetown.edu/2020/02/28/tribes-and-borders-in-the-gulf/>> [accessed 1st February 2021].

⁴⁰⁰ Kenton Bell, *Open Education Sociology Dictionary* <<https://sociologydictionary.org/tribe/>> [accessed 21st November 2021].

⁴⁰¹ For example, see Alanoud Al-Sharekh and Courtney, *Freer Tribalism and Political Power in the Gulf: State-Building and National Identity in Kuwait, Qatar and the UAE* (London: I.B. Tauris, 2022) and Miriam Cooke, *Tribal Modern: Branding New Nations in the Arab Gulf* (Berkeley: University of California Press, 2014).

⁴⁰² Peter Lienhardt, *Shaikhdoms of Eastern Arabia* (London: Palgrave Macmillan, 2001), p. 31.

Strong rulers were those who attracted the most protégés. Governments were small and loosely structured, exercising limited authority beyond areas directly under their control.⁴⁰³

Table 4.0 – Types of Succession in the Trucial Sheikhdoms and Muscat and Oman 1793-1873

	Deposition	Assassination	Violent Death	Natural Causes
Abu Dhabi (1793-1855)	3	2	0	0
Ajman (1816-1864)	1	0	1	2 (1 Following Restoration)
Dubai (1833-1859)	0	0	0	3
Oman (1792-1870)	1	2	2	1
Ras al-Khaimah (1814-1869)	2	0	1	1
Sharjah (1814-1883)	1	0	1	1
Umm Al Quwain (1768-1873)	0	0	0	3

Lorimer, *Gazetteer of the Persian Gulf*, (Ajman) pp. 776-777, (Abu Dhabi) pp. 763-768, (Dubai) pp. 772-774 (Oman) pp. 420-421, 437, 440, 469-470, 477, 482 and 492, (Ras al-Khaimah and Sharjah) pp. 755-763 (Umm Al Quwain) p. 775.

Sheikhs performed a symbolic role as a tribal confederation's chosen representative. Sheikhdoms were structured around the Sheikh who led the tribe and was appointed by a council, as no strict primogeniture inheritance rights existed. Beneath them were the heads of subordinate tribes, who had submitted themselves as tributaries, but were still largely autonomous. The Qasimi Confederacy was a multi-tribal structure whose empire tied a network of various ports and groups together.⁴⁰⁴ Its precise boundaries were highly fluid and the degree of Ras al-Khaimah's authority over them varied. Yet, any attack by vessels recognised by the British as nominally subject to the Qawasim was attributed to the latter.⁴⁰⁵

⁴⁰³ G. Joffé, 'Concepts of Sovereignty in the Gulf Region', in *Territorial Foundations of the Gulf*, ed. by Richard Schofield (London: UCL Press, 1994), 78-93 and J.C. Wilkinson, 'Traditional Concepts of Territory in South East Arabia', *Geographical Journal*, 149:3 (1983), pp. 301-15.

⁴⁰⁴ Frauke Heard-Bey, *From Tribe to State: The Transformation of Political Structure in Five States of the GCC* (Milan: Università Cattolica del Sacro Cuore, 2008), p. 68.

⁴⁰⁵ Suzuki, 'Making of the Joasmee Pirates', pp. 82-86.

It is perhaps for this reason that MacLeod believed that the 'distinct acts of Piracy on English vessels' charged to Sultan 'were not committed at his instigation, although he may have been obliged to wink at their commission by his dependents.'⁴⁰⁶ Sultan bin Saqr's subordinates were 'very anxious to impress us with the idea that the whole coast from [Al Rams] to [Sharjah] was entirely subject' to him. MacLeod had informed them that, regardless of their affiliation, each sheikh 'whether dependent or otherwise, must hold himself answerable for the vessels belonging to his own port.' He noted Sultan's supremacy over the Gulf littoral was 'of a very indefinite description' and was 'little more than nominal.' MacLeod observed that the Qawasim had very little direct authority and were unable to control their actions. Although Sultan had interfered in the successions of Al Jazira Al Hamra and Al-Rams, he noted that traditionally they were 'elected by their own tribes' and their allegiance to the Qawasim was founded upon their acknowledgement of Sultan as the 'head of a superior tribe.'⁴⁰⁷

However, MacLeod doubted Sultan's authority was absolute even within the Qawasim. He also believed that although Sultan was a 'turbulent and ambitious man', he was inclined to suspect that 'his offences against us may have been somewhat exaggerated.' He noted that he was exiled during the Qawasim's more violent episode between 1810-1819 and was a reliable 'friend of the English, when all the rest of the pirates had joined against us.' Remarkably, although MacLeod acknowledged the danger posed by Sultan's ambitions, he advocated that 'if his power were firmly established, I do not think it need be a matter of regret to us.' He believed that if Sultan was well disposed to the British, the solidification of his power would 'prevent the rest from molesting us' and his supremacy would 'prevent hostilities amongst the dependent tribes.' If the Qawasim reneged, he believed the 'evil would still not be greater than the individual piracy of each Chief.' MacLeod was confident Sultan would be dissuaded from such a course because he had more to lose and 'therefore more to

⁴⁰⁶ BL, IOR/R/15/1/30, Letter No. 3 of 1823, 10 January 1823.

⁴⁰⁷ Ibid.

dread from our vengeance.’ He concluded he was no worse ‘than any of the rest of the Chiefs’ and he was ‘at all events not worse disposed to us.’⁴⁰⁸

Whether Sultan was an appropriate nomination appears to have been informed by his predisposition towards the British. MacLeod’s observations are remarkable, given the difficulties the Qawasim and their conflicts with Oman had posed to regional stability, but the foundational logic of his position was not without merit. He recognised that it would be impossible to ignore the influence of the domestic sphere on the maritime sphere, as escalating conflicts could not be contained by the provisions of the General Treaty. Political instability was greatly informed by the comparative fragility of an individual ruler’s position. Theoretically, a singular influence with the power to mediate in his subordinate’s conflicts could reduce the risk of an escalation of intertribal conflicts spilling into the Gulf. As Britain was reluctant to assume this responsibility, competition for supremacy was inevitable. MacLeod’s warnings were remarkably prescient, as were his apprehensions surrounding Sultan’s ambitions.

As early as 1825, he ‘was scheming to obtain actual possession’ of Dubai after marrying the sister of the Sheikh due to concerns arising from its proximity to Sharjah.⁴⁰⁹ As Lorimer notes, the establishment of order at sea was ‘necessarily a gradual process’ and minor ‘piracies’ continued from the moment Britain withdrew their troops from Qishm. Between 1823 and 1825, vessels from Sharjah were fitted out for ‘piratical purposes’ and ‘put to sea with nefarious intentions.’⁴¹⁰ This period was largely typified by minor instances of violence provoked by Sultan’s ambitions and directed toward non-British vessels. However, the murder of Tahnun bin Shakhbut in 1833 caused a rupture within the Bani Yas of Abu Dhabi. His successor Khalifah was the subject of a further conspiracy, but he swiftly moved and seized the ringleaders. This failed to ingratiate him with his subjects and the Al Bu Falasah branch seceded, establishing themselves in Dubai under the Al-

⁴⁰⁸ Ibid.

⁴⁰⁹ Lorimer, *Gazetteer of the Persian Gulf*, p. 690.

⁴¹⁰ Ibid.

Maktoum. This was disastrous, as not only did Khalifah lose Dubai, but Sultan took the opportunity to attack under the pretext of obtaining justice for a merchant who was almost executed.⁴¹¹

MacLeod's warning that conflicts which were not 'put down soon, soon involve the Gulf in a renewal of piracy' were about to be realised.⁴¹² In response the Bani Yas committed the 'most daring depredations, attended with the greatest cruelty, involving in some cases the murder of the whole of the crews of the boats that fell into their hands.' To contemporaries, this resembled the activities of the Qawasim, all available vessels were despatched to 'deter the other tribes from following the example.'⁴¹³ The incident was attributed 'partly to a change of rulers at Abu Dhabi and dissensions among the Bani Yas; partly to the passions kindled by recent savage wars' between the belligerents. More concerning, it was also 'partly to the weakness of the British naval establishment in the Gulf.'⁴¹⁴

PRPG James Morrison wrote a scathing rebuke to Charles Norris. He was convinced that the signatories had only been restrained from their 'former lawless occupations' by the 'impression of our immediate means of coercion.' This latest outbreak was attributed to the 'presumed temporary reduction of our maritime force.' Citing the observations of his predecessors, Morrison argued that 'the efficient discharge of the [PRPG's] superintendence in the Gulf has been much impeded by the limited means at his disposal, leading in some instances to the unavoidable adoption of temporising expedients and delay coercing acts of piracy.' The 'late violent proceedings' of the Bani Yas were 'chiefly induced by the previous low state to which the Squadron had been reduced.'⁴¹⁵ As Bombay

⁴¹¹ Ibid, pp. 765-766 and Andrea B. Rugh, *The Political Culture of Leadership in the United Arab Emirates* (New York: Palgrave MacMillan, 2007), pp. 39-40.

⁴¹² BL, IOR/R/15/1/30, Letter No. 15 of 1823, 29 March 1823.

⁴¹³ Arnold Burrows Kemball, 'Historical Sketch of the Beni Yas Tribe of the Arabs', *Selections from the Records of the Bombay Government*, 24 (Bombay: Bombay Education Society's Press, 1856), pp. 461-96 (p. 473-474).

⁴¹⁴ Lorimer, *Gazetteer of the Persian Gulf*, p. 682.

⁴¹⁵ London, BL, India Office Records and Private Papers, IOR/R/15/1/67, fols 10-12, Letter No. 7 of 1835 from James Morrison to Charles Norris, 16 December 1835

<https://www.qdl.qa/en/archive/81055/vdc_100024090686.0x000017>.

prohibited any involvement in their internal affairs, an effective naval deterrent was pivotal to the PRPG's ability to enforce the General Treaty.

Its importance was identified by MacLeod, who noted that any 'moral effect' would 'depend upon the increased force and vigilance of our squadron.'⁴¹⁶ PRPG David Wilson had submitted a proposal in 1828 recommending the permanent deployment of two cruisers and a yacht. Although the suggestion was approved, both the *Fly* and her replacement the *Cyrene* were 'found totally inefficient for the purpose for which they were expressly supplied.'⁴¹⁷ The reliability of the available vessels was further doubted in a report to the Finance Committee in 1829-1830 and Lord William Bentinck's Minute of 1834.⁴¹⁸ Another report by PRPG David Alexander Blane noted that upon his departure 'only one cruiser of the very lowest efficiency was then left.' The vessel shortly departed to convey mail to Basra, meaning that between 31st May and 12th July 'there was actually no vessels of war left at the Commodore's disposal in the lower end of the Gulf.' Of the two available, Blane described the *Ternate* as 'perhaps the least efficient' and the *Amherst* was reported 'as unfit for efficient service' after a twelve-month deployment in the Gulf 'without any means of refitting.'⁴¹⁹

Morrison regretted that the 'late unhealthy state of the *Ternate* and her extremely defective sailing qualities, render her at this moment completely inefficient as a ship of war.'⁴²⁰ Lorimer observes that her eventual replacement the *Elphinstone* was severely undermanned, with only 150 men in total.⁴²¹ Assistant PRPG Samuel Hennell believed the conflict was 'encouraged by the previously reduced state of the Squadron' and the inadequacy of the 'two vessels then stationed in the Gulf, to inflict such immediate and exemplary punishment' as the 'magnitude of the offences committed... seemed so imperiously to call for...' He reinforced Wilson's recommendations, noting the continued necessity

⁴¹⁶ BL, IOR/R/15/1/30, Letter No. 3 of 1823, 10 January 1823.

⁴¹⁷ BL, IOR/R/15/1/30, Letter No. 7 of 1835, 16 December 1835.

⁴¹⁸ Low, *Lion Rampant*, p. 26.

⁴¹⁹ London, BL, India Office Records and Private Papers, IOR/R/15/1/65, fols 17-18, Copy of a Letter from David Anderson Blane to Charles Norris, 1 July 1834

<https://www.qdl.qa/en/archive/81055/vdc_100023654665.0x000002>.

⁴²⁰ BL, IOR/R/15/1/30, Letter No. 7 of 1835, 16 December 1835.

⁴²¹ Lorimer, *Gazetteer of the Persian Gulf*, p. 683.

for the permanent presence of at least three 'ships of war.' Morrison also highlighted that 'at least three *effective* vessels of war are indispensable to maintain the peace in these seas.'⁴²² As Lauren Benton has argued, ships played a 'dual role as sources of order in the oceans.' They were both 'islands of law' with their regulations and judicial processes enforced by captains and 'vectors of crown law thrusting into-ocean space.'⁴²³

During the nineteenth century, the understanding that ships acted as vectors of law developed alongside the realisation that authority was limited to narrow sea lanes rather than extensive ocean zones. Ships and their crew carried law beyond Britain's jurisdictional boundaries and were vital components in the reinforcement of the normative order the British wanted to establish. As Guillemette Crouzet notes, British vessels were the 'instruments through which [a] new space was dominated,' without adequate naval deterrents, officials were unable to implement the provisions effectively.⁴²⁴ The General Treaty was viewed as a milestone in British imperial discourse, officials believed the agreement marked the end of a period of anarchy. Wilson declared that 'the former system of plunder and piracy... was the cause of misery and ruin' and it was the 'maintenance of that general peace and tranquillity which is daily extending the spirit and mutual confidence and good order among the inhabitants of the Gulf.'⁴²⁵

If the British wished to replace what they conceived as a sea of illegality defined by violence and trafficking with a 'legal space' in which commerce and prosperity could flourish, they required a sufficient naval force. Morrison closed his remarks by declaring that 'an efficient squadron in the Persian Gulf is not only indispensable but the most effectual and perhaps least expensive mode by which piracy in all its bearings can be most easily and successfully restrained.'⁴²⁶ Britain's inability to sufficiently respond to the crisis eventually led to the establishment of a more reliable naval

⁴²² BL, IOR/R/15/1/30, Letter No. 7 of 1835, 16 December 1835.

⁴²³ Lauren Benton, 'Legal Spaces of Empire: Piracy and the Origins of Ocean Regionalism', *Comparative Studies in Society and History*, 47:4 (2005), 700-24 (pp. 704-6).

⁴²⁴ Crouzet, 'A Slave Trade Jurisdiction', pp. 242-43.

⁴²⁵ Cited in Crouzet, 'A Slave Trade Jurisdiction', pp. 241-42.

⁴²⁶ BL, IOR/R/15/1/30, Letter No. 7 of 1835, 16 December 1835.

presence, but further measures were still necessary if they were to be effectively utilised. A reassessment of the precise role Britain would occupy was necessary if officials wanted to maintain maritime peace without interfering in the internal affairs of Trucial Arabia.

4.4 – Legitimate Commerce, the Politics of Protection and the Maritime Truces

The recent episode demonstrated the necessity to find a solution for the management of Britain's burgeoning legal space. To prevent further violence, Assistant PRPG Samuel Hennell enforced a truce, which obliged the cessation of hostilities during the pearling season. By preventing disruption to the pearling fleets, he hoped to encourage a cessation of hostilities. The truces ran for six months and were renewed each year. Crucial to this agreement was the provision that Britain would 'watch over the maintenance of the peace... and take steps to ensure observance of the Articles.'⁴²⁷ The success of this first truce encouraged further renewals and a ten-year truce in 1843. Both parties eventually agreed to a permanent solution, the Perpetual Maritime Truce (1853). Under its terms, Britain enshrined their mediation of maritime disputes. The pursuit of legitimate warfare at sea was successfully prohibited in exchange for British guarantees of protection and expanded Britain's role as a mediator. Article III deputised responsibility to the British to enforce compensation if the peace was violated. Signatories agreed that the 'maintenance of the peace' would be 'watched over by the British Government' within a Restrictive Line where maritime violence was strictly prohibited.⁴²⁸ Where disputes did occur, 'the struggle must be held on land.' Only if they originated in 'unprovoked aggressions by sea' could demands for redress be made.⁴²⁹

⁴²⁷ Ahmadi, *Islands and International Politics in the Persian Gulf*, pp. 10-11.

⁴²⁸ See Appendix - Treaty of Peace in Perpetuity (Perpetual Maritime Truce), 24th August 1853.

⁴²⁹ Arnold Burrow Kemball, 'Observations on the Past Policy of the British Government towards the Arab Tribes of the Persian Gulf', *Selections from the Records of the Bombay Government*, 24 (Bombay: Bombay Education Society's Press, 1856), pp. 61-89 (pp.71-72).

The Truces corrected some deficiencies of the General Treaty. The key to their success was their ability to satisfy multiple stakeholders. They were the product of metropolitan ideas of the 'civilising' qualities of legitimate commerce, Trucial Arabian socio-political traditions and Bombay's desire to provide a permanent deterrent to maritime violence without interfering in internal affairs. The conclusion that protection of the pearl banks would provide a solution to maritime violence shared similarities with metropolitan ideas surrounding the 'civilising' qualities of legitimate commerce. These ideas were inextricably bound up with early abolitionist attempts to formulate a solution to the slave trade. Writing in 1870, a British official noted they held distinctly that the Slave Trade and legitimate commerce cannot hope to prosper side by side.' Either the actions of slave traffickers would 'succeed in killing all proper mercantile instincts and effort,' or legitimate commerce would develop in 'proportion as arrangements to put a stop to the slave trade are energetically carried out.'⁴³⁰

Legitimate (or 'legal' or 'lawful') commerce may be defined as a designation for trade which involved anything other than slaves.⁴³¹ According to Christopher Leslie Brown, legitimate commerce 'would seem to have been a creature of the Abolitionist movement, and perhaps would not have existed without it.'⁴³² William Wilberforce argued that the development of legitimate commerce to replace the slave trade would allow them to 'make reparation to Africa, as far as we can, by establishing a trade upon true commercial principles.'⁴³³ Within contemporaneous metropolitan discourse, legitimate commerce was beginning to be increasingly associated with the broader 'civilising mission.' As Kevin Grant notes, an amalgam of 'commerce and Christianity' was at the 'heart of

⁴³⁰ Cited in A.I.P. Burdett, *The Slave Trade into Arabia*, 4 (Cambridge: Cambridge University Press, 2006), p. 429.

⁴³¹ Robin Law, Susanne Schwarz and Silke Strickrodt, 'Introduction', in *Commercial Agriculture, the Slave Trade & Slavery in Atlantic Africa*, ed. by Robin Law, Susanne Schwarz and Silke Strickrodt (London: James Currey, 2013), pp. 1-27 (pp. 1-2).

⁴³² Christopher Leslie Brown, 'The origins of 'legitimate commerce'', *Commercial Agriculture, the Slave Trade and Slavery in Atlantic Africa*, ed. by Robin Law, Susanne Schwarz and Silke Strickrodt (London: James Currey, 2013), pp. 138-57 (pp. 138-39).

⁴³³ Cited in Joseph Black and others., *The Broadview Anthology of British Literature*, B (London: Broadview Press, 2021), p. 405.

[David] Livingstone's ideology of intervention,' reflecting his faith in the 'natural relationship between individual morality and the ethics of progress in a free market.'⁴³⁴

These ideas were also adapted to piracy, which was viewed as equally inimical to the interests of legitimate commerce as slave trafficking. As Erin Mackie notes, the trope of piracy 'has always been highly mobile' as a marker of the lines that 'define social and ethical standards.' Piracy was a useful concept for delineating between legitimate and illegitimate commercial activities and could be mobilised to regulate indigenous practices which imperial administrators identified as inimical to their interests.⁴³⁵ American observers had contrasted the behaviour of Barbary corsairs against their ideals, concluding they 'preferred piracy over legitimate trade' and operated 'outside the cultural norms' of a 'civilised' society.⁴³⁶ These ideas would be transmitted through the trajectories in the imperial network between London and the colonies, including Bushire. PRPG Arnold Kemball informed Bombay that the 'gradually improving civilisation and increased commercial interests of the inhabitants of the maritime Arab States' had created 'a desire on their own part to *perfect tranquillity on the seas.*'⁴³⁷

Appeals to the threats posed by piracy to legitimate commerce also served as a justification for British paramountcy. Unless they were 'induced by [our] restraints to war and piracy, Kemball believed they were still predisposed to 'poverty, habits of rapine, and interminable blood feuds' and the 'enticing prospects of rich booty.' He argued they were only 'restrained and impelled to the faithful observance... of their engagements... by the dread' of British power alone and the 'assurance that punishment would immediately follow.' The recent Bani Yas depredations offered 'good proof' of what may occur 'if not for the restraining power of the British Government.'⁴³⁸ He was not alone

⁴³⁴ Kevin Grant, *A Civilised Savagery: Britain and the New Slaveries in Africa, 1884-1926* (London: Routledge, 2005), p. 26.

⁴³⁵ Erin Mackie, *Rakes, Highwaymen and Pirates: The Making of the Modern Gentleman in the Eighteenth Century* (Baltimore: The Johns Hopkins University Press, 2009), p. 129.

⁴³⁶ Cited in Ganser, Alexandra, *Crisis and Legitimacy in Atlantic American Narratives of Piracy, 1678-1865*, (UK: Palgrave Macmillan, 2020), pp. 177-178.

⁴³⁷ Kemball, "Observations on the Past Policy", p.62.

⁴³⁸ *Ibid*, pp. 62-63.

in this view as Evan Nepean had also argued the Qawasim were not 'dispose to quit their present predatory habits,' which he considered 'so deeply rooted that nothing but the strong hand of power will keep them down.'⁴³⁹ Legitimate commerce operated not only as a remedy for these 'predatory habits,' but was only possible if it was facilitated by the presence of British cruisers.

Despite this, the Maritime Truces were not the product of gunboat diplomacy. Instead, they were a reflection of Britain's ability to successfully conform to existing regional political traditions. As Alexander Barder notes, acknowledging trajectories implies the 'transmission of ideas, norms, practices, cultures or knowledge across imperial networks.' It also implies that empires undergo a process of 'learning and evolution of imperial rule over time.'⁴⁴⁰ In the Gulf, part of this process was an appreciation of the socio-political traditions that informed local decision-making. Kemball recognised that the interests of 'humanity and good policy dictate the prevention of outrage and aggression on these seas, by every precautionary measure, rather than the punishment and coercion of such when perpetrated by the rude and uncivilised tribes in these quarters.'⁴⁴¹

Conformation to regional expectations offered a solution without repeated deterrence through collaboration with the signatories. In Trucial Arabia, protection from larger regional powers was a source of permanent anxiety for the small polities along the Gulf littoral. Although Bahrain benefitted from the natural defences provided by the sea, the Al-Khalifa themselves had established themselves through a naval invasion.⁴⁴² Even Oman, which was much larger, struggled to effectively resist external advances, as demonstrated by their failure to repel the Wahhabis and Nader Shah's invasion. Within this climate, a socio-political tradition of protection developed that functioned around a protector-protégé relationship.⁴⁴³ Rulers threatened by a much stronger enemy sought

⁴³⁹ Cited in Hawley, *The Trucial States*, p. 111.

⁴⁴⁰ Alexander Barder, *Empire Within: International hierarchy and its imperial laboratories of governance* (London: Routledge, 2015), p. 21.

⁴⁴¹ Kemball, 'Observations on the Past Policy', p. 71.

⁴⁴² See Chapter 7.1 – Bahrain, External Aggression and the Friendly Convention.

⁴⁴³ James Onley, 'The Politics of Protection in the Gulf: The Arab Rulers and the British Resident in the Nineteenth Century', *New Arabian Studies*, 6 (2004), 30-92 (pp. 30-31).

protection to deter interference. Protectors were obliged to provide military assistance. In return, their protégés would offer their subservience and often pay tribute to symbolise this subordination.⁴⁴⁴ The protector-protégé relationship formed a crucial survival mechanism in a turbulent political environment, but it also informed the mechanics of conflict resolution. Whilst protectors were considered answerable for the actions of their protégés to the wider community, crucially their protégés were answerable to them.

Protectors acted as the arbiters not only in disputes between their protégés and external parties but also as a mediator in disputes between their protégés. Protégés were bound to submit themselves to the judgement of their protector, who would act as a guarantor. That the signatories interpreted their relationship with the British through the vernacular of political protection is not speculative. In the 1820s, the pearl merchants of Sharjah offered to pay for British protection.⁴⁴⁵ The payment of tribute was a recognised obligation by protégés. As Sato notes, the Truces were also appealing because by 'signing these treaties Britain effectively upgraded the status of those people whom hitherto it had called 'pirates,' and eventually acknowledged some degree of statehood on their part.'⁴⁴⁶ British recognition of the signatories' right to agree to the Truces on their subject's behalf contributed to their legitimacy to rule in a turbulent environment wrought with potential challengers.

Protection of the pearling fleets was beneficial to both parties. For Britain, it would ensure regional stability and encourage legitimate commerce, which they viewed as a remedy to both maritime violence and slave trafficking. For the Trucial rulers, it would increase their prosperity without having to resort to violence to protect their commercial interests in the case of disputes. PRPG Ephraim Stannus had recognised that the 'allied tribes' were accustomed to Britain's method of mediation in

⁴⁴⁴ Henry Rosenfield, 'The Social Composition of the Military in the Process of State Formation in the Arabian Desert', *Journal of Royal Anthropological Institute of Great Britain and Ireland*, 4 (1965), 75-86 (pp. 78-79).

⁴⁴⁵ Martin Ledstrup, *Nationalism and Nationhood in the United Arab Emirates* (Cham: Palgrave Macmillan, 2019), p. 12.

⁴⁴⁶ Sato, *Britain and the Formation of the Gulf States*, p. 12.

cases of piracy after he had 'corrected' erroneous interpretations of the General Treaty.⁴⁴⁷ Between 1805-1861, the Residency received at least ninety-eight requests for protection – sixty-four from the Trucial sheikhs, twenty-one from Bahrain, twelve from Oman and one from Kuwait.⁴⁴⁸ Despite the success of the Truces, PRPG James Morrison worried the agreement 'would cast upon [us] the onus and responsibility of being the arbiter for every dispute, and settlement of endless claims.'⁴⁴⁹ However, their experiences had shown that 'the most solemn engagements between these chieftains... formed without the guarantee of the Government, are not security whatever for the maintenance of peace.' While attempts were made to 'induce [them] to enter into a mutual agreement among themselves, without British guarantee... these have ever been rendered nugatory.'⁴⁵⁰

The success of the Maritime Truces was based on their ability to amalgamate the socio-political traditions of protection seeking with Britain's desire to promote regional security through the 'civilising' qualities of legitimate commerce. The Truces were shaped by metropolitan ideas of the 'civilising' quality of legitimate commerce, the signatories' expectations under the socio-political traditions of protection seeking and Bushire's search for a solution to maritime violence. By conforming to the expectations of the signatories of mediation and protection of the pearl banks, British officials were able to satisfy the obligations of the traditional protector-protégé relationship, without obligating themselves to intervene in their domestic disputes. The promotion of legitimate commerce was also considered effective in the amelioration of these conflicts and would naturally reduce the likelihood that they would spread to the waters of the Gulf.

⁴⁴⁷ London, BL, India Office Records and Private Papers, IOR/R/15/1/33, fols 87-94, Letter No. 10 of 1825 from Ephraim Gerrish Stannus to William Newnham, 10 March 1825 <https://www.qdl.qa/en/archive/81055/vdc_100023472630.0x0000bd>.

⁴⁴⁸ James Onley, 'Britain and the Gulf Shaikhdoms, 1820-1971: The Politics of Protection', *CIRS Occasional Paper No. 4*, (2009) <<http://dx.doi.org/10.2139/ssrn.2825942>>, p. 6.

⁴⁴⁹ Cited in Kemball, 'Observations on the Past Policy', p. 69.

⁴⁵⁰ Cited in *Ibid*, p. 71.

They were also a perfect example of how the successful compromise between two competing trajectories priorities could shape the legal space of the Trucial system. Characterisation of Trucialisation as an imperial imposition which marginalised the signatories ignores the active participatory role they could play in its construction and deprives them of agency. Submitting themselves to the protection of the British in return for the protection of local commerce and mediation in disputes was not inimical to the socio-political traditions which guided the decision-making of the signatories. Although they were obliged to surrender their ability to prosecute 'acknowledged war' at sea, concessions were a legitimate function of the traditional exchanges between protectors and protégés. Britain's extension of protection over maritime peace and mediation in disputes arising from commercial pursuits meant the surrender of naval autonomy was an acceptable concession.

As the British relied on the collaboration of the signatories, it was also within their interests to conform to some traditional expectations placed on a protector. This also allowed Bombay to satisfy their desire to remain disentangled from the internal affairs of the signatory, a concern shaped by their experiences in the Omani interior. By limiting itself to the mediation of maritime disputes, Bombay could ensure the integrity of its official policy, while maintaining British paramountcy through the protection of commercial security. The Truces also marked the transition from the 'Pirate Coast' to the 'Trucial Coast,' signifying a shift in British perceptions.⁴⁵¹ The experience gained through their formation was fundamental to the construction of Bushire's identity as a maritime peacekeeper. Bombay's retreat into non-interventionism informed a reluctance towards sanctioning any involvement in the domestic sphere, contributing to the formation of a maritime legal space under the Trucial system.

Although the Truces were largely successful at mediating disputes between Trucial rulers before they escalated, they were by no means perfect. The risks inherent in Bombay's decision to adopt an

⁴⁵¹ Lorimer, *Gazetteer of the Persian Gulf*, p. 695

official policy of non-intervention and the erection of an artificial division between domestic and maritime spheres had already proven potentially disastrous. This division was even enshrined in the Truces themselves, as Britain only agreed to protect the signatories from maritime aggressions. No provision extended to assaults from external aggressors by land. Protection from external aggression or internal threats was a key motivating factor in their pursuit of a protector. Britain's restriction of its jurisdiction to the Lower Gulf was designed to protect British paramountcy without further investment, but it risked reigniting the underlying causal factors, which had necessitated further measures in the first place. They were an example of Britain's desire to find solutions designed to protect British interests, rather than solve the underlying problems.

Had Thompson's campaign against the Bani Bu Ali proven successful, Bombay and Bushire might have taken a proactive interest in the internal affairs of the Trucial rulers. At the very least, the presence of the garrison may have proven sufficient to deter significant escalations, as the Bani Yas episode was partially due to the absence of an effective naval deterrent. Their subsequent withdrawal and the adoption of a strict policy of non-intervention had deprived the PRPG of a potent means of enforcing the provisions of the General Treaty. Their absence from internal affairs had already threatened maritime security and their refusal to protect the signatories from external aggressors left them vulnerable to the consequences of serious escalations.

However beneficial legitimate commerce may have been for the signatories, their ability to peacefully co-exist was dependent on their domestic security and maritime stability. Deprived of the ability to conduct maritime warfare, groups like the Qawasim, whose power had been reinforced by their naval resources, were increasingly vulnerable. The Maritime Truces were a reactive solution to the immediate problems caused by the Bani Yas-Qawasim conflict. Like the General Treaty, so long as their deficiencies were not challenged, maintenance of the status quo was deemed sufficient. The question of their insufficiencies would remain dormant for almost twenty years, but the

jurisdictional loopholes which would later undermine them were about to challenge Britain's efforts against slave trafficking.

5.0 – Britain and the Trucial Slave Trade, 1824-1850

After a tumultuous period of conflict, the Maritime Truces had largely solved the immediate problems related to maritime violence – albeit within a confined area. Despite this success, the question of slave trafficking had remained in abeyance since the signing of the Moresby Treaty. Although a redefinition of the slave trade as piracy was a crucial component of the General Treaty, the traffic in Trucial Arabia continued without further restriction. This internal space was defined by the priorities of Anglo-Omani interrelations in 1822, guided by anxieties surrounding the French slave trade in the Mascarenes. Article IX of the General Treaty had not faced significant tests since its implementation, but as with the provisions related to ‘piracy,’ ambiguities and loopholes would continue to plague British officials. As Muscat’s centre of political power moved from Oman to Zanzibar, Said’s authority in Arabia began to decline in tandem with his sway over officials in Bombay. This was a period largely defined by the evolving priorities and hierarchy of power between Britain and Trucial Arabia, which coincided with a renewal of their humanitarian zeal. It is this next stage in the process of Trucialisation, which expanded British efforts against slave trafficking, that we shall now explore:

Firstly, we shall examine the short-lived Mombasa Protectorate and Anglo-Omani interrelations between 1824-1838. Here we will establish how British support for Said began to evolve, just as his authority in Oman began to decline. When Captain William FitzWilliam Owen exceeded his remit from the Admiralty to seize Mombasa, authorities in Bombay extended their support for Oman. Owen’s unauthorised gamble had, however, exposed tensions in a relationship already defined by British unreliability. Owen’s seizure was justified by alleged breaches of the Moresby Treaty, but with the agreement in its infancy, Bombay was reluctant to revisit the status quo. Said was still considered a crucial regional partner in their resistance to French expansion, but as opportunities in the lower Gulf diminished, the Sultan had begun to re-establish himself along the East African coast.

During one of his ever-increasing absences, a cadet branch of the Al Bu Said launched a rebellion. While the British initially were willing to secure Muscat, Said's decision to reject their aid proved disastrous. Equipped with a precedent, authorities in Bombay extended their policy of non-intervention to disentangle themselves from obligations to Oman.

Secondly, we will explore how effective the General Treaty was when faced with reports of the Qawasim's alleged involvement in the Somali slave trade. This will allow us to establish the deficiencies in Article IX and how British officials responded to them. Abdullah bin Iwuz from the Somali port of Berbera alleged the Qawasim had recently deceived 233 Somali girls with fictitious offers of marriage before carrying them away. The Qawasim flatly denied the allegations and PRPG Samuel Hennell was equally dubious. As reports reached him, he realised a substantial traffic existed. One of the major problems facing Britain was that this was the first test of Article IX. Its enforcement had been allowed to lay in abeyance for seventeen years and a precise interpretation of its intent was never established. To complicate matters further, the identity of the culprits revealed catastrophic jurisdictional loopholes. The existing arrangement was inadequate. Bushire was tasked with finding a solution to the problem, which also addressed absences from the Moresby Treaty.

Thirdly, we will examine how this informed part of a renewed focus on the abolition of the Trucial slave trade between 1839-1845. Here we will explore how Britain evaluated potential avenues to mitigate the slave trade and how the evolving dynamics of Anglo-Omani interrelations and Said's declining influence informed the Hamerton Treaty. While Hennell's Articles of Agreement solidified the provisions of Article IX, it provided no mechanisms to prevent the purchase and transport of slaves. One of the problems facing Bushire was that the Gulf was littered with various independent powers and any general prohibition would require universal consent. Even the treaties they possessed contained provisional and jurisdictional variances. To combat this, Hennell recommended that the terms of the Moresby Treaty be re-examined and applied to the Trucial sheikhs. After years

of pressure, Said reluctantly signed the Hamerton Treaty in 1845, limiting the export of slaves to a narrow corridor of his East African possessions.

Finally, we will examine the impact of the renewed violence between the competing branches of the Al Bu Said on the slave trade. This will allow us to establish how jurisdictional loopholes and Said's declining authority in Oman in the absence of British support coalesced to facilitate a network of resistance. Trapped between the resurgent Wahhabis in al-Buraimi and a Sultan whose allegiance with the British was becoming increasingly viewed as an imposition, Ibadi revivalists looked to Sohar. Said's loss of Rustaq - the traditional seat of the Imam - and Muscat's distance from the traditional political epicentre of Oman deprived religious conservatives of their historical influence. As conflict renewed, slave traffickers established a clandestine network of resistance to circumvent British prohibitions. The ensuing violence created a vacuum where slaves could be landed and walked across the interior for sale in ports along the lower Gulf littoral. Bombay's withdrawal of support had, inadvertently, facilitated the development of a network of resistance to their recent gains.

5.1 – The Mombasa Protectorate and the Al Bu Said Civil War, 1824-1836

The ratification of the Moresby Treaty was designed to answer the slave trade, so Britain and Oman could pursue their wider ambitions. Traditional historiographical orthodoxy suggested that by 1820, Said secured Omani possessions in East Africa because he had managed to consolidate his position in Oman.⁴⁵² The Moresby Treaty's recognition of his territorial integrity was a significant boost to his prospects. Randal Pouwels attributed Said's expansion to him being 'an extremely capable ruler and a dangerous intriguer,' but more importantly, because of the alliance he had 'forged with the

⁴⁵² See Reginald Coupland, *East Africa and its Invaders: From the earliest Times to the Death of Seyyid Said in 1856* (Oxford: Clarendon Press, 1938) and W.H. Ingram, *Zanzibar: Its History and Its People* (London: Routledge, 1967).

British', which meant Bombay was inclined to act out of an interest in 'sustaining [his] position at Muscat.'⁴⁵³ This position implies that the actions of 'great men' are significant to the course of historical events. More recently, the assertion that Said was in a position of strength in Oman, enjoyed the support of Bombay and consciously sought to build an East African empire has been challenged.

Said enjoyed a degree of freedom with the Wahhabis subdued by the Egyptians in 1813, allowing him to direct his attention to East Africa and turn his attention to the Bani Bu Ali in 1822 and Dhofar in 1829. Yet, any ambitions of restoring Omani primacy in the Gulf were dashed through four failed attempts in 1820, 1823, 1828 and 1829 to conquer Bahrain.⁴⁵⁴ The General Treaty only further excluded him from what Jeremy Jones and Nicholas Ridout describe as 'an area of Omani commercial activity... that had been the basis for the economic viability of the Omani state for a considerable time.'⁴⁵⁵ As Calvin Allen concluded, Said's focus on East Africa was likely driven by the fact that Muscat's Gulf policy has failed 'not only politically, but also economically.'⁴⁵⁶ Whilst he had secured a degree of political control around Muscat, the withdrawal of Egyptian forces from Najd in 1824 led to a Wahhabi revival and growing internal threats at home. From 1830 onward, these coincided with his definitive transfer from Muscat to Zanzibar in 1832.

Said was astute enough to recognise the necessity of changing his commercial policies in light of the curtailments of his ambitions in the Gulf. Between 1820-1823, he secured Marka, Brava, Mogadishu, Pate, Wasin, Pemba and Tanga. Yet, the strategically important Mombasa refused to recognise his authority. After the ascension of the Al Bu Said in 1744, the Mazrui remained virtually independent of Muscat. It was not until 1822 that Said despatched an expedition that drove them from

⁴⁵³ Randall L. Pouwels, *Horn and Crescent: Cultural Change and Traditional Islam on the East African Coast, 800-1900* (London: Cambridge University Press, 1987), p. 99.

⁴⁵⁴ Lorimer, *Gazetteer of the Persian Gulf*, p. 448.

⁴⁵⁵ Jones and Ridout, *Oman, Culture and Diplomacy*, p. 113.

⁴⁵⁶ Calvin H. Allen Jr., 'The State of Masqat in the Gulf and East Africa, 1785-1829', *International Journal of Middle East Studies*, 14:2 (1982), 117-27 (p. 123).

Mombasa, though he failed to dislodge them.⁴⁵⁷ This failure had set the pair on a collision course that would test Pouwel's hypothesis. Under instructions from the Admiralty of the Cape Station, Captain William Fitzwilliam Owen was sent to survey the eastern coast of Africa and the western coast of Madagascar.⁴⁵⁸ Instead, he embarked upon a personal crusade against the slave trade, which thrust him into the centre of the Muscati-Mazrui conflict and placed Anglo-Omani relations in serious jeopardy.

Owen reported that 'on this Eastern Coast of Africa [Mozambique] the Slave Trade has recently received a new impulse for the supply of Brazil.' The Liberal Revolution (1820) and the Brazilian War of Independence (1822) had 'opened the Ports of *Quilimane* and *Inhamban*, to a direct communication' with Brazil, which enabled slave traffickers to 'carry on this abominable Traffic more advantageously, and to a greater extent.'⁴⁵⁹ According to Owen, it was 'perfectly within the power of the British Government to stop the Slave Trade on this coast at a blow.' As he believed there was no other market for them than Brazil, 'if this market be shut up the traffic will die away naturally...' Advocacy for a 'slow death' approach would have a larger significance for Britain's strategy towards Trucial slavery as the century proceeded. Yet, it was his single-minded determination to circumvent existing treaty relations that had the most immediate effect. Owen declared the Brazilian flag 'need not be recognised as a cover to such villainous commerce' in the absence of a formal treaty and he was in this mood when he arrived in Bombay.⁴⁶⁰

Acting upon information of violations of the Moresby Treaty by Arab slave traders, he felt duty-bound to rectify these matters. Upon his arrival, he fell in with a delegation of the Mazrui, who had come to appeal for British protection against Said. It is worth noting here that Owen was acting well beyond his original remit. Any notion that orders uttered from London were automatically translated

⁴⁵⁷ Nicolini, 'Re-reading the Role of Oman Within Its International Trade Relations', p. 156.

⁴⁵⁸ Anthony Sullivan, *Britain's War Against the Slave Trade: The Operations of the Royal Navy's West Africa Squadron 1807-1867* (Barnsley: Pen & Sword Books, 2020), p. 121.

⁴⁵⁹ *British and Foreign State Papers, 1847-1848* (London: Harrison, 1826), 12, pp. 268-69.

⁴⁶⁰ Cited in George McCall Theal, *Record of South-Eastern Africa*, 9 (South Africa: Government of the Cape Colony, 1903), p. 33.

to action through the diffusion of an 'official mind' into the periphery was undermined by his subsequent actions.⁴⁶¹ He proposed to GIB Elphinstone that he should alter the Moresby Treaty, agree to protect the Mazrui and appoint an agent with consular powers at Mozambique Island.⁴⁶²

It was here that the complex jurisdictions that governed the British imperial administration became apparent. As Darwin notes, 'the British presided over a ramshackle empire, full of contradictions and quirks, and with a control apparatus that was spasmodic at best.'⁴⁶³ Bombay lacked any authority to appoint a consul, submitting an appeal on Owen's behalf to Calcutta instead. Similarly, they were predisposed to avoid any interference in the Moresby Treaty, as it was negotiated by the Governor of Mauritius. It was within their remit to provide Owen with letters of safe conduct and assistance for his visit to Arabia. Any extension of protection to Mombasa was deemed incompatible with the Company's broader policy of non-intervention.⁴⁶⁴ Whilst we cannot be certain of Elphinstone's response, it is improbable that he provided consent. We do know that Owen departed to Muscat determined to act upon his suggestions.

Owen was granted an audience with Said where he warned him that he intended to proceed to Mombasa to grant them British protection 'in which my principal motive would be the suppression of that hellish traffic.'⁴⁶⁵ Said did not resist these demands, but perhaps detecting that these instructions ran contrary to the wishes of Owen's superiors, he patiently awaited his departure before submitting a protest. On 8th February 1824, Owen arrived at Mombasa and proclaimed a British Protectorate, defying both his original remit, the wishes of Bombay and the Treaty of Friendship.⁴⁶⁶ This was no surprise to Said, whose enemies (the Qawasim) were considered viable

⁴⁶¹ Darwin, *The Empire Project*, p. xii.

⁴⁶² John Milner Gray, *The British in Mombasa, 1824-1826: Being the History of Captain Owen's Protectorate* (London: Macmillan, 1957), p. 31.

⁴⁶³ Darwin, *The Empire Project*, p. 194.

⁴⁶⁴ Mabel V. Jackson Haight, *European Powers and South-East Africa* (New York: Ardent Publishers, 1967), p. 179.

⁴⁶⁵ Cited in Lloyd, *The Navy and the Slave Trade*, p. 210.

⁴⁶⁶ Gwyn Campbell, *The Madagascar Youths: British Alliances and Military Expansion in the Indian Ocean Region* (Cambridge: Cambridge University Press, 2022), p. 132.

targets for British expansion. Yet, the fact that he considered the Mazrui his subjects and Mombasa was Omani territory recognised under the Moresby Treaty complicated matters. Owen had not merely circumvented Said's interests, as Grant had at Ras al-Khaimah, he directly interfered in his internal affairs.

Bombay's recently declared commitment to non-intervention after the withdrawal of the Qishm garrison was directly violated. Likewise, as Christopher Lloyd notes, what could Said have thought 'of a nation which guaranteed his territory one year and broke the pledge the next?'⁴⁶⁷ Owen's unilateral abuse of his remit revealed that the underlying tensions between imperial visions remained intact. It severely damaged the primarily cordial relations between Muscat and Bombay, who never authorised the seizure. Lowry Cole, Governor of Mauritius, had little enthusiasm for the venture either. It was also an embarrassment to London, who had received direct appeals from Said, and the Admiralty, whose instructions to Owen afforded him no authority to establish a protectorate. Bombay wrote to the Commodore Hood Hanway Christian, informing them that it was 'naturally a subject of surprise to the Imaum, to find the operations, in which he had been for some time engaged in Africa, suddenly checked by the interposition of the British.'⁴⁶⁸

In Bombay's opinion, any permanent occupation would require some form of compensation for Said. Before their complaints could be fully heard, authorities in London had already come to a decision.⁴⁶⁹ Said's patience paid off as the Admiralty were instructed to demand a withdrawal from Mombasa. By 1832, Said transferred his court to Zanzibar from Muscat and in 1837 he reconquered Mombasa from the Mazrui. Bombay's intervention on Said's behalf brought the precise nature of the Anglo-Omani friendship into question. During his conflicts with the Qawasim, Bombay informed Said that the 'nature of the connection subsisting between the two States is for the maintenance of

⁴⁶⁷ Ibid.

⁴⁶⁸ London, BL, India Office Record and Private Papers, IOR/R/15/1/39, fols 11-15, Letter No. 1044 of 1826 from T. Harden to Richard Thomas Goodwin, 8 September 1826
<https://www.qdl.qa/en/archive/81055/vdc_100023483809.0x000017>.

⁴⁶⁹ Coupland, *The British Anti-Slavery Movement*, p. 200.

friendly intercourse... without involving the allies or enemies of either in the connection, or any obligation in either of the contracting powers to co-operate in the views of the other.⁴⁷⁰

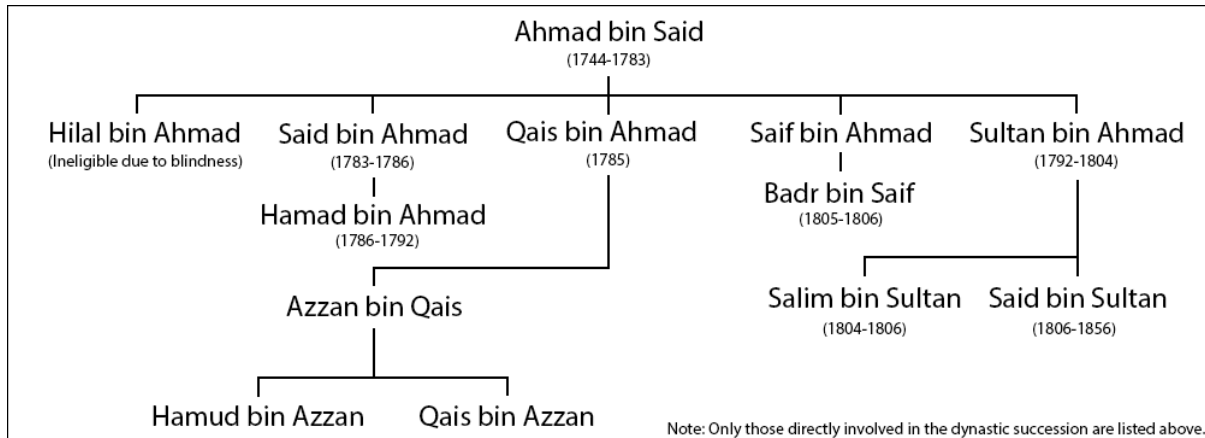
Their withdrawal after the Bani Bu Ali expedition had signified a withdrawal from Omani internal politics. Advocacy on his behalf during the Owen affair only complicated matters. Potential French commercial and political competition was always a dominant factor in Anglo-Omani relations. Their investment in Said was predicated on fears that his successors may be more predisposed to French overtures.⁴⁷¹ These dynamics directly informed the conciliatory shape of the Moresby Treaty and the creation of an internal space where slave trafficking remained legal through Oman's integration into the imperial network under Said. However, growing tensions within Oman would test British resolve, exacerbated by Said's increasing absences.

The roots of the discord traced back to the succession crisis following Ahmad bin Said's death. Both Saif and Sultan failed to gain the throne from Said bin Ahmad, with Sultan going into exile in Gwadar. Said's unpopularity finally saw him supplanted in favour of his son, Hamad, with Sultan returning upon his death in 1792. To avoid further disputes, Sultan ceded Sohar to Qais bin Ahmad and assumed the title of Sayyid, allowing Said to retain the largely ceremonial title of Imam in Rustaq. Qais attempted to seize the Imamate on two separate occasions: first in 1785 when he was briefly elected Imam and second in 1804 after the death of Sultan. On both occasions, he failed, passing his governorship of Sohar to his son Azzan. Badr bin Saif briefly usurped the throne from Sultan's sons and defeated Qais before Said bin Sultan murdered him. After Badr's assassination, only two lines remained: the al-Sultan line of Muscat and the cadet branch of the al-Qais of Sohar.

⁴⁷⁰ Cited in Jerome Antony Saldanha, *The Persian Gulf Précis*, 2 (London: Archive Editions, 1986), p. 54

⁴⁷¹ Jackson Haight, *European Powers and South-East Africa*, p. 181.

Illustration 5.0 - Al Bu Said Family Tree from the reign of Ahmad bin Said to Said bin Sultan



Lorimer, *Gazetteer of the Persian Gulf*, pp.407-469 and 466-467.

In 1830, Said imprisoned his cousin Hilal, who he distrusted, before leaving his nephew Muhammad bin Salim to act as regent. Hilal's sister seized Al Suwayq in protest, inviting Hamud bin Azzan to join her in rebellion. Hamud captured Al Kaburah, Liwa and Shinas after retaking possession of Sohar. Despite paying Sultan bin Saqr a subsidy to maintain the peace, the Qawasim used the instability to launch an invasion and Muhammad was forced to request British aid. On this occasion, GICB John Malcolm, the architect of the Treaty of Friendship, wrote to PRPG David Wilson informing him that Britain was bound to 'prevent [Said's] ruin and downfall by every means in its power.' He directed him to 'interfere on account of any partial disorders in His Highness' territories' and that Bombay had no hesitation in authorising him to inform Sultan that they would not permit 'any act which you may deem calculated to annihilate or seriously and permanently weaken the Imam's power.' Refusal to submit to the arbitration would be treated as an act of hostility. Malcolm was reluctant to permit any invasion against a person 'with whom [we] have so long maintained an intimate and beneficial alliance.'⁴⁷²

Wilson dispatched a cruiser to Muscat, but when Said returned, he disavowed British aid. This would be ill-advised, after multiple requests for British support. This rejection provided a pretext to deny

⁴⁷² Cited in Saldanha, *The Persian Gulf Précis*, p. 178.

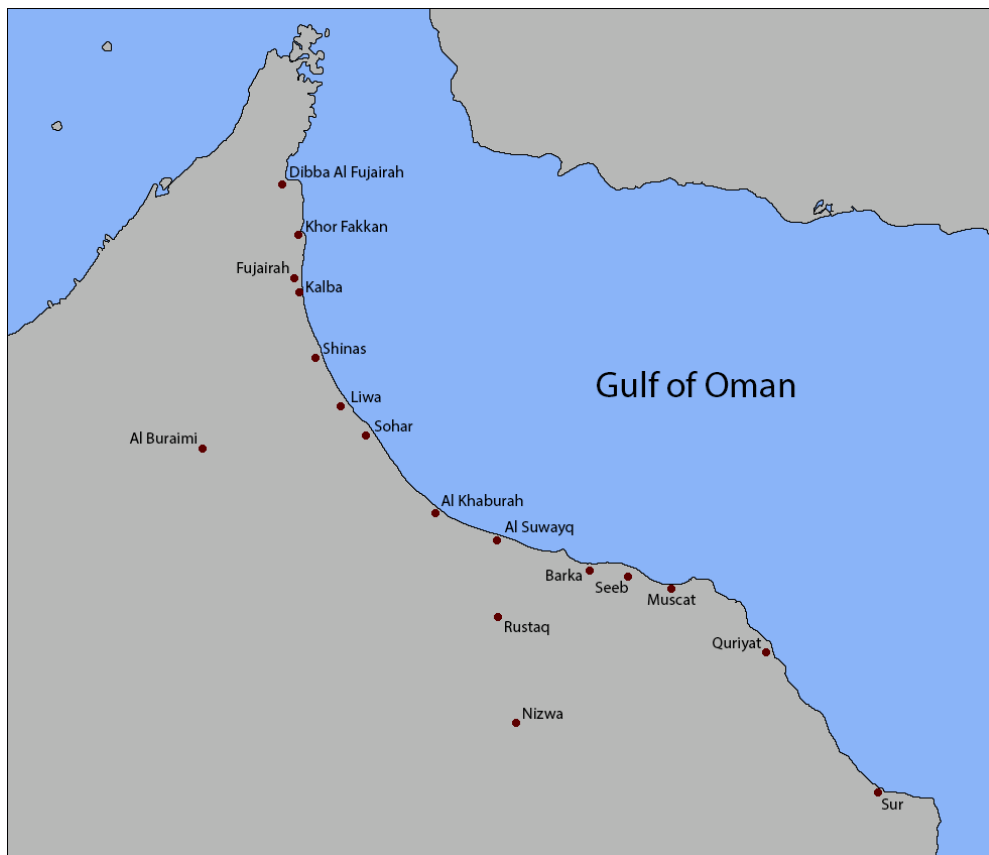
him future protection. Said was forced to not only release Hilal but also confirm Hamud as the Wali of Sohar. Determined to assert his authority, Said remarkably requested the assistance of the Qawasim and Ajman to assist him against Hamud. Insulted by his lack of invitation, Tahnun bin Shakhbut of Abu Dhabi decided to attack Sultan bin Saqr in a prelude to the violence that would lead to the implementation of the Maritime Truces. Rashid bin Humaid of Ajman ultimately turned his army against Said, who retired to Muscat, his power significantly diminished, before departing to resume his campaign against Mombasa in 1832.⁴⁷³ This began a cycle of internecine violence, which severely eroded Muscat's political authority over Oman.

Said entrusted his affairs to his nephew Muhammad bin Salim and his eldest son, with another relation, Saud bin Ali. Shortly after his departure, Saud seized the pair, while Hamud and Hilal placed Rustaq under siege. The Qawasim also invaded, retaking Dibba Al Fujairah, Kalba and Khor Fakkan on the Shamaliyah coast. A British cruiser stationed at Muscat was enough to dissuade Hamud, but when Said returned, he stated that British interference under the circumstances was not advised. Bombay - now under the stewardship of John FitzGibbon - made it clear to PRPG David Blane that they were no longer prepared to 'sanction the employment of... British arms for the purpose of maintaining the integrity of the continental possessions of the Imam of Muscat.' If they declared any intention to support him, they believed this 'line of policy must be followed up at any expense' and it would be impossible to set limits to the 'waste of blood and treasure which might ensue in consequence.'⁴⁷⁴

⁴⁷³ Calvin H. Allen Jr., *Oman: The Modernization of the Sultanate* (London: Routledge, 1987), p. 50.

⁴⁷⁴ Cited in J.F. Standish, 'British Maritime Policy in the Persian Gulf', *Modern Eastern Studies*, 3:4 (1967), 324-54 (p. 334).

Map 5.0 – Major settlements of north-eastern Oman.



By 1833, the Wahhabis had re-established themselves in Al Buraimi. Said was forced to pay five thousand dollars a year as tribute in return for mutual assistance in suppressing rebellions among either of their subjects.⁴⁷⁵ Said remained fearful for the integrity of his territories and pressed Bombay to support him, but they refused. Citing his dismissals, FitzGibbon noted that he did not think they were bound to 'tender him the like of assistance... his having declined to avail himself of it, is a sufficient reason for not renewing the offer.'⁴⁷⁶ Bombay wished to avoid engaging in a 'system of Continental Warfare,' the results of which he believed would be impossible to foresee.⁴⁷⁷ FitzGibbon reaffirmed their concern was with 'the maritime commerce of the Gulf, and as long as that is not molested, it matters not to us whether one power or another holds dominion on its

⁴⁷⁵ Lorimer, *Gazetteer of the Persian Gulf*, p. 1096.

⁴⁷⁶ Cited in Saldana, *The Persian Gulf Précis*, p. 181.

⁴⁷⁷ Cited in Standish, 'British Maritime Policy in the Persian Gulf', p. 334.

shores.’ He believed they could rely on the ‘salutary dread’ of British reprisals to restrain the Wahhabis if they conquered Muscat.⁴⁷⁸

These two incidents demonstrated that the approach of even a single trajectory of the imperial network varied depending upon the incumbents. Malcolm’s pre-existing affiliation with Oman had predisposed him to extend more significant support, whilst FitzGibborn was eager to avoid conflicts. Contrary to Pouwel’s assertions that Said established himself in Zanzibar upon a secure foundation at home and enjoyed steadfast British support, by 1836 he lacked either. In 1834, he lost possession of Rustaq to Hamud, rendering his suzerainty over north-eastern Oman nominal at best. Inherent distrust of the Wahhabis undermined their combined efforts to retake Sohar between 1835-1836, costing Said an estimated \$300,000.⁴⁷⁹

The brief support he enjoyed under Malcolm and during the Owen debacle evaporated. Said’s rejection of British support provided all the justification required to transfer their commitment towards non-intervention to Oman. By 1836, Oman was fractured, while Said invested his energies in East Africa. The ramifications of Said’s transfer to Zanzibar and the collapse of his authority in Oman, along with turbulent British support, would not be immediately felt. Yet, the events of 1824-1836 would prove significant. It was in this context that the Trucial slave trade began to pre-occupy both Bushire and Bombay. Owen’s Mombasa Protectorate briefly demonstrated that the Moresby Treaty was only a temporary solution. Unlike the articles relating to maritime violence, Article IX had previously remained untested. It is towards an incident at Berbera along the Somali coast to which we must now turn our attention.

⁴⁷⁸ Cited in Saldana, *The Persian Gulf Précis*, p. 181.

⁴⁷⁹ Lorimer, *Gazetteer of the Persian Gulf*, p. 454.

5.2 – Article IX and the Somali Slave Trade, 1837-1838

As political authority in Oman disintegrated, Bushire revisited deficiencies in the General Treaty. PRPG John Macleod had noted that the traffic continued ‘to a considerable degree... since there is an open slave market both at Muscat and Bahrain.’ This was unsurprising, given that the Moresby Treaty had created an internal space where its legitimacy was reluctantly recognised. MacLeod reiterated the observations of his contemporaries by emphasising what he perceived as the comparative benignity of Trucial slavery. It was ‘gratifying to humanity,’ he remarked, that the slaves were ‘the stoutest and best fed men’ and that as far as he could gather, they ‘seemed happy and comfortable.’ This pragmatic approach was used to justify the legalisation of Trucial slavery by the Moresby Treaty, as British officials believed intervention ‘would in all cases occasion such disgust and offence, as would involve a great risk of a renewal of hostilities.’⁴⁸⁰

Despite this hesitance, the PRPG still had Article IX of the General Treaty at their disposal, but how effective had this provision been? MacLeod believed Article IX was inherently flawed. He could not find any definitive explanation in his instructions on its precise meaning. The words ‘the carrying off of slaves, men, women and children... and the transporting them in vessels, is plunder and piracy’ only appeared to forbid forceful seizure and subsequent transportation to Trucial markets. Even the most ‘extended acceptance’ could not be ‘construed into forbidding the purchase of slaves’ and transporting them overland.⁴⁸¹ Under the strictest interpretation, the signatories were still entitled to purchase slaves from Muscat, which they had not transported over sea themselves. It was MacLeod’s understanding that it only forbade the ‘making of slaves, and the transporting in vessels of slaves so made,’ not the purchase or transport of them by sea if purchased. He did not believe

⁴⁸⁰ BL, IOR/R/15/1/30, Letter No. 8 of 1823, 27 February 1823.

⁴⁸¹ *Ibid.*

that 'any of the parties to the treaty do carry off slaves' and that those they possessed were 'purchased at Muscat and other places.'⁴⁸²

Elphinstone agreed that it only alluded 'to descents made on the Coast of Africa for the purpose of making slaves,' as long as it was 'peacefully conducted', it would be an 'abuse of language' to apply it to any trade, 'however detestable.'⁴⁸³ As the Maritime Truces were concluded, very little had substantially changed. Writing in 1838, PRPG Samuel Hennell informed Bombay that 'a period of 17 years has passed over without the question having been agitated.' As PRPG Arnold Kemball added, during that period 'not one single seizure has been made under its provisions.'⁴⁸⁴ The ambiguity of the English translation and the absence of any forceful attempts to clarify the matter with the signatories had given them a 'sort of prescriptive right to consider that the ninth article was inserted solely with the view of guarding against the forcible carrying away of individuals to sell them as slaves.'⁴⁸⁵

Article IX's provisions were finally tested following an incident of an alleged kidnapping involving the Qawasim in Somalia. Berbera was one of the most substantial slave trafficking hubs within the Red Sea trading network. According to Behnaz Mirzai, Ethiopian Christians were traditionally the most trafficked within Somali networks. They were transported to ports in the 'Persian Oman Gulfs and, perhaps, ultimately to the Kathiawar coast of India.'⁴⁸⁶ It is worth recalling that at this stage all the ports due west of Diu Head still comprised part of the legal slave trade under the terms of the Moresby Treaty. Said had already complained to British authorities in July 1837 about a series of aggressions perpetrated by Sultan's subjects in East Africa. More alarmingly, a man named Abdullah

⁴⁸² Ibid.

⁴⁸³ Arnold Burrows Kemball, 'Paper relative to the Measure adopted by the British Government, between the years 1820 and 1844, for effecting the Suppression of the Slave Trade in the Persian Gulf', *Selections from the Records of the Bombay Government*, 24 (Bombay: Bombay Education Society's Press, 1856), pp. 635-45 (p. 637).

⁴⁸⁴ Cited in Ibid, p. 637.

⁴⁸⁵ *Accounts and Papers*, 15, p. 582.

⁴⁸⁶ Behnaz A. Mirzai, *A History of Slavery and Emancipation in Iran, 1800-1929* (Austin: University of Texas Press, 2017), p. 54.

bin Iwuz had relayed a disturbing allegation to Hennell. Abdullah, who professed to be a 'person of some rank,' reported that the Qawasim had recently 'carried off' 233 young girls from Berbera under the pretence of marriage only to subsequently dispose of them as slaves.⁴⁸⁷

Abdullah alleged he received letters of complaint during a visit to Muscat, which directed him to proceed to Ras al-Khaimah to demand the girl's liberation. During his initial voyage, he alleged he was stripped of 'his property and letters' by the crew after informing them of the purpose of his visit. After making his complaint to Sultan, he 'told him to have patience, and he would afford him redress.' Sultan ordered a list of the individuals involved be compiled, before imposing a fine of 'ten dollars upon each slave,' which he said was to be given to Abdullah in compensation. Despite these assurances, Abdullah complained Sultan offered him 200 crowns 'to say nothing further on the subject' to Bushire, which he refused. Any complaints about his robbery were dismissed. Abdullah acknowledged that whilst he did not believe the girls were carried off by force, they were persuaded under false pretences. They allegedly bribed a local named Mutter to forge a letter to Sultan professing that the 'girls carried away were all regularly purchased,' but upon discovery of this deceit the locals killed him 'for his treachery.'⁴⁸⁸

Hennell summoned Sultan's representative, reminding him of Article IX's stipulations and demanding an explanation. He denounced Abdullah's accusations, though he did not deny the girls had been 'brought up' from Berbera. He declared 'they had been regularly purchased from two tribes in that neighbourhood, at war with each other, who was in the habit of selling all the prisoners that fell into their hands.' He concluded Abdullah was an imposter 'without any letters or credentials,' though he conceded that if sufficient evidence were provided, Sultan 'would do any thing that was just.' Although Hennell did not think Sultan's subjects were 'very scrupulous as to the means by which they obtain their slaves,' Abdullah's statement 'appears to me in some respects

⁴⁸⁷ Kembal, 'Suppression of the Slave Trade in the Persian Gulf', pp. 637-38.

⁴⁸⁸ *Accounts and Papers*, 15, p. 581.

exceedingly improbable.’ He was inclined to believe that the ‘unfortunate individuals’ were made prisoners by ‘one of the belligerent tribes before adverted to’ and sold by the victors to the Qawasim. He believed Abdullah was connected to the defeated party and had been instructed to obtain the liberation of the captives.⁴⁸⁹

The PRPG admitted this was ‘mere conjecture,’ but in the absence of any response from his agents in Sharjah and Muscat, he declined to intervene. However, after receiving reports from Muscat and Sharjah, he was alarmed to discover that ‘it would appear evident that a disgraceful traffic in young females, probably by stealth and purchase, is carried on the [Berbera] coast, not only to the territories of the [Qawasim], but every port of consequence in the Persian Gulf.’ What first appeared to be a trifling squabble between an aggrieved party in a minor dispute now indicated a far more insidious traffic operating in contravention of Article IX. The Agent at Muscat confirmed Mahomed’s explanation, relaying that ‘I had made much inquiry; and I have heard that the [Qawasim]... brought some young girls, Abyssinian and [Somali]; but it is reported they purchased them with money.’ He noted that whilst the affair was ‘not unfounded,’ it was ‘not true to the extent stated of 233 young girls – apparently [it was] only 20 or 30.’⁴⁹⁰

Bushire’s Agent at Sharjah acknowledged it was ‘true that [girls] are brought from that quarter for sale,’ but the traffickers asserted they were all Abyssinian and it was ‘difficult to distinguish between the two.’ He noted nobody denied making purchases at Berbera, but that the Somalis were ‘thieves and mischief-makers.’⁴⁹¹ Further news from Muscat reached Bushire in 1838. Abdullah returned to Muscat, where he informed the agent that he had learned some of the girls were in the port. He brought one of them to make an official statement. She alleged that a man named Ali bin Said bin Isa from Sur had stolen her. An Abyssinian named Mahabool had allegedly permitted the crew to ‘seize

⁴⁸⁹ Ibid, p. 580.

⁴⁹⁰ Ibid, p. 584.

⁴⁹¹ Ibid, p. 584-85.

whomsoever they could' and that she and seven others were 'carried away.' She was aware of the general whereabouts of three of the girls, but 'where the remainder are she does not know.'⁴⁹²

Hennell informed Bombay that although he was unable to bring 'any positive or direct proof' against Sultan's subjects, he was 'inclined to concur in the general opinion entertained...that instances of free persons being kidnapped and brought away for sale' from Berbera 'did sometimes occur' among the Qawasim. He expressed to Sultan 'in the strongest possible terms the indignation felt by the government on learning that such an infamous and nefarious practice had been carried on, although so expressly forbidden' by Article IX.⁴⁹³ Sensing Bushire's displeasure, Sultan had dispatched an agent to Zanzibar to enter into an agreement with Said that 'in future not vessels from the [Qawasim] ports should be permitted to visit the African coast without carrying a specially written authority from himself...' In addition, upon their return, each *nakhoda* was required to produce papers with Said's seal 'certifying that his crew had conducted themselves with peace and quietness, and that none of his people had been guilty of stealing or surreptitiously carrying away slaves, either by force or fraud.'⁴⁹⁴

Interestingly, given their repeated disputes, the Qawasim were willing to delegate authority to Oman. Sultan offered Said authority to 'punish to the utmost extent' any of his subjects who were deemed guilty of infractions. We cannot discern Sultan's sincerity from this exchange, but it marked a crucial turning point. Hennell recommended to Sultan that he also concede the right to search and seizure to British vessels, a concession that reflected the desires that had informed Article IX originally. Sultan's concession to Said provided a precedent where the former had transferred sovereignty over his subjects outside his jurisdiction to the latter. As Sultan's subjects were already obligated to 'do nothing of this nature [carrying off]', this allowed the British to reaffirm their interpretation of Article IX. Sultan signed an Article of Agreement that declared that any vessels

⁴⁹² Ibid, p. 585.

⁴⁹³ Ibid, p. 585-86.

⁴⁹⁴ Ibid.

connected to his ports 'coming under the suspicion of being employed in the carrying off (literally stealing) and embarkation of slaves... I... do hereby agree to their being detained and searched, whenever and wherever they may be fallen in with on the seas.' If it were then ascertained that the crews had carried off slaves, the vessels were 'liable to seizure and confiscation' by British cruisers. Not long after, similar agreements were obtained from Abu Dhabi, Ajman and Dubai.⁴⁹⁵

The PRPG had appealed to the religious affiliations of the Somalis, which he believed entitled them to be classified as free and therefore not subject to regular purchase or sale. Hennell noted that as the sale and purchase of slaves was 'permitted by the tenets of their faith,' their efforts would therefore be greatly improved if they could articulate their arguments through Islamic doctrine. According to William Gervase Clarence-Smith, although customary law and decrees of rulers could be 'quite divergent on the issue of bondage,' those who were considered 'free people of the book [Quran]' were deemed to be protected from enslavement.⁴⁹⁶ As Somalis 'may come under the Mahomedan denunciation of 'hoor, or free,' they were not liable to be sold as prizes from war and any such enslavement should be 'considered as equivalent to an act of piracy, and punished accordingly.'⁴⁹⁷

The entire incident revealed even more deficiencies in the General Treaty. Article IX had been allowed to lay in abeyance in the absence of serious violations, but this had fermented ambiguity surrounding its intentions. Hennell noted that if evidence was corroborated, the affair warranted it being viewed as a violation and 'treated as an act of piracy.'⁴⁹⁸ The precise identity of the culprits was difficult to ascertain and when they were finally revealed they were subjects of Kuwait. As Kuwait was not a signatory of any agreement, their behaviour was entirely legal under legal positivist

⁴⁹⁵ See Appendix - Article of Agreement, 17th April 1838.

⁴⁹⁶ William Gervase Clarence-Smith, 'Islam and Slavery', *GEHN Conference 3*, Economic Cultures: Konstanz (June 2004) <<https://www.lse.ac.uk/Economic-History/Assets/Documents/Research/GEHN/GEHNConferences/conf3/Conf3-WCSmith.pdf>>, [accessed January 13th 2020].

⁴⁹⁷ *Accounts and Papers*, 15, p. 588.

⁴⁹⁸ *Ibid*, p. 584.

interpretations, which had informed the construction of the Trucial system. While Hennell's agreements finally established a precise meaning for the 'carrying off' of slaves, it did not solve the much more pressing problem of jurisdictional loopholes. If Bombay wanted to expand the Bushire's power to suppress slave trafficking, a far more robust solution was necessary.

British officials continued to be limited by a space shaped by Anglo-Omani interrelations that were not necessarily representative of their contemporary priorities. Registering their distaste without any mechanisms to reinforce their position and refusing to apply Article IX rendered Britain's new normative order toothless. So long as a delineation between the internal and external slave trades existed, there would be a space where it could thrive. Although the Owen Protectorate prematurely pressed the question, the Berbera incident sparked renewed discourse. During Hennell's inquiries, he was asked to provide an opinion on the possibility of more effectively expanding a general prohibition of the slave trade. The Articles of Agreement were a turning point, no longer content to rest upon the comparatively vague Article IX. Policymakers were now invested in pursuing a more vigorous means of suppression. Yet, territorial restrictions only constrained exports to Europeans and only applied to Omani subjects, while punishment for the Trucial sheikhs was still confined to the boundaries established by Article IX. If British officials expanded their efforts, then these jurisdictional differences and restraints needed to be resolved.

5.3 – British Anti-Slavery in Trucial Arabia and the Hamerton Treaty, 1839-1845

The Berbera incident revealed the significant difficulties presented by jurisdictional loopholes in the treaty network. Even the strictest interpretation of Article IX could not prevent the signatories from engaging in the legitimate purchase of slaves. Although they were not bound by the jurisdictional delineation imposed upon Omani subjects, the formation of a space where British Indian officials

recognised a legal slave trade did little to discourage them from participating. Said demonstrated no inclination to alter their arrangement, but Britain's renewed humanitarian vigour coincided with an overall decline in his political fortunes. The trajectories which had previously shaped their existing interrelations were about to evolve. With his position in Oman reduced and his access to the Gulf restricted, Said was increasingly vulnerable to British demands. With the deficiencies of the General Treaty readily established and Said's growing weakness, officials in Bombay and Bushire began to seriously evaluate the Trucial slave trade. This would be an example of how evolving power hierarchies and priorities could reconstitute existing trajectories in the imperial network and reshape existing spaces.

What steps could Britain realistically take and what were the most significant obstacles in their way? The only agreement Britain managed to implement before the General Treaty was a decree from the Pasha of Baghdad (1812) for the emancipation of 'natives of India' brought to Basra as slaves. Under the decree, anyone belonging to Basra or Muscat who 'stole and brought' Indian subjects would be liable for punishment. Their transport was considered kidnapping, as they 'are not negroes.' No further accords were established in the period between the signing of the Moresby Treaty and Article of Agreement, which only prohibited the 'carrying off' of slaves, not their legitimate purchase. MacLeod believed they may 'put a stop to the carrying off of slaves,' but their purchase and transfer was another matter. The enslaved would be 'disguised and concealed in a thousand ways, so that it will be impossible for us to detect them' and under the existing agreement, stopping and searching boats would 'occasion such disgust and offence, as would involve a great risk of a renewal of hostilities.'⁴⁹⁹ The risk to British paramountcy was the primary motivation behind their hesitancy to impose more significant restrictions and their classification of Trucial slavery as 'benign.'

GICB Sir Robert Grant requested Hennell to 'favour government with your opinion as to the practicability or otherwise of inducing [Said] and Arab chiefs in the [Gulf] to prohibit the traffic in

⁴⁹⁹ *Accounts and Papers*, 15, p. 584.

slaves altogether.⁵⁰⁰ This was the first time since Owen's Mombasa Protectorate that full prohibition of the Trucial slave trade was being debated by authorities in Bombay. Hennell informed Grant that it was 'that after much and deliberate consideration... I am reluctantly led to the conclusion that, in the first place, it would be impracticable to induce [Said] and the Arab Chiefs in the Gulf to put an end to the traffic in slaves without such a large pecuniary sacrifice being made on the part of the British Government as would most likely be considered altogether inexpedient.' He correctly recognised that 'it must be borne into recollection that, even on the Arabian side of the Persian Gulf alone, neither [Said] nor the chiefs of Sohar, [Qatif] or [Koweit] are parties to this treaty.'⁵⁰¹ Hennell reiterated that 'their consent to a total prohibition of the traffic in our fellow-creatures must be obtained by means of negotiation.' Even if payment was offered, he feared that 'the attainment of the humane objects contemplated' would be difficult. If they enforced the prohibition along the Arabian coast, they would 'throw the whole of this nefarious traffic into the hands of the inhabitants of [Basra]' and the principal ports of Persia.⁵⁰²

Britain's existing relations with the Ottomans and Persians were a serious impediment to any serious attempts to gain an accord with either government. Even if they could gain their consent, Hennell believed the signatories would 'exhibit little more than a nominal adherence' to the engagements 'unless compelled to do so by our own maritime force.' Bushire had only recently secured the Maritime Truces and the inadequacy of an effective naval deterrence contributed significantly to recent maritime disturbances. Enforcement of any prohibition 'would involve the necessity of greatly augmenting the number of vessels of war' employed in the Gulf, which, he estimated, would be attended with 'the constant risk of entangling us in disputes with the local governments dependent

⁵⁰⁰ Ibid, p. 581.

⁵⁰¹ Ibid, p. 582.

⁵⁰² Ibid.

upon Persia, Turkey and Egypt.⁵⁰³ Grant replied that 'as long as a hope remains, [we] are unwilling to abandon it' and asked Hennell to suggest any measures 'likely to mitigate the evil.'⁵⁰⁴

His most urgent suggestion was the inclusion of the Trucial sheikhs within the recognised boundaries established under the Moresby Treaty. The Articles of Agreement may have proscribed a universal prohibition of the 'carrying off' of slaves, but under current arrangements, no restriction to the legal slave trade existed. He suggested it would be necessary to gain 'the consent of the Arabian chiefs, who are not subjects of Persia or Turkey, to the adoption of the same restrictive line.' He urged Bombay to explore a further modification of the original Moresby Line in light of British expansion in India. The PRPG believed that the provinces of Kutch and Kathiawar should be included by moving the existing point from Diu Head to Karachi 'or in the event of this not being attainable, to the mouths of the Indus.'⁵⁰⁵ The subject of modifying their existing relationship with Oman was now firmly back on the table considering alterations in their respective positions.

Hennell implemented his recommendations with Abu Dhabi, Dubai, the Qawasim and Umm Al-Quwain on 3rd July 1839. Under Article I, British cruisers were permitted to detain and search 'whenever they may meet any vessel belonging to myself or my subjects' beyond a direct line which now ended at 'Cape Guadel.' Article II confirmed their right to seize any vessel found carrying slaves 'for sale', whilst Article III reiterated that the selling of Somalis was considered an act of piracy.⁵⁰⁶ Through these agreements, the signatories were now placed on equal footing with the subjects of Oman, albeit with slightly modified versions of the Moresby Line. Yet, this was a gap Hennell was determined to close to establish a unified definition, as Said consented to an amendment of the Moresby Line. Article I modified the existing jurisdictional boundaries by shifting the endpoint of the Moresby Line from Diu Head to 'Cape Pussein' off the coast of Makran. Articles II and III also

⁵⁰³ Ibid, pp. 582-583.

⁵⁰⁴ Ibid, p. 585.

⁵⁰⁵ Ibid, p. 588.

⁵⁰⁶ See Appendix - Additional Articles of Agreement, 3rd July 1839.

reiterated the right to search and seizure – except in cases where vessels passed beyond the line due to ‘stress of the weather’ – and classified the enslavement of Somalis as an act of piracy.⁵⁰⁷

For the first time since their arrival, Bombay achieved uniformity in their agreements related to slave trafficking. Oman was absent from the General Treaty, while the Trucial sheikhs were similarly removed from the Moresby Treaty. While the Trucial slave trade continued to be recognised as legal, the renewed vigour of British officials had a much stronger base to build from. It was an indication of an evolving relationship between Said and Bombay, which was increasingly abandoning its reciprocal nature. Six days after the modification of the Moresby Treaty, Hennell acted as an intermediary in a peace treaty between Said and Hamud. The accord established a ‘lasting, and established peace between the two contracting parties,’ but more importantly, it officially recognised the latter’s territorial acquisitions.⁵⁰⁸

This would have significant implications, but it was also indicative of the decline in Said’s stature. As Alan Lester notes, trajectories within the imperial network ‘must be seen not only as provisional and contingent, but sometimes as ephemeral and even fleeting.’ Like the ‘patterns in a kaleidoscope, the precise constitution of the interconnections is momentary, although the networked nature of interconnectedness itself is constant.’⁵⁰⁹ As power dynamics shifted and priorities were re-assessed, existing interconnections like the Anglo-Omani relationship evolved to reflect these new realities, altering the existing shape of the spaces created through their interactions. Said was not subordinated to Bombay, but the largely deferential treatment he had enjoyed was re-examined. Further attempts by Owen in tandem with Thomas Foxwell Buxton in the 1830s had been rebuffed.⁵¹⁰

⁵⁰⁷ See Appendix - Additional Articles Regarding the Suppression of the Foreign Slave Trade, 17th December 1839.

⁵⁰⁸ See Appendix - Treaty of Peace between Said bin Sultan of Muscat and Said Hamud of Sohar, 23rd December 1839.

⁵⁰⁹ Lester, ‘Imperial Circuits and Networks’, p. 135.

⁵¹⁰ See Jackson Haight, *European Powers and South-East Africa*, pp. 184-85, Lloyd, *The Navy and the Slave Trade*, p. 215 and Nwulia, *Britain and Slavery in East Africa*, pp. 50-52.

Officials in London, however, were beginning to consider advocating more significant amendments to their existing agreements by 1841. Moses Nwulia argues that during the 1830s, Britain had treated the Trucial slave trade 'as a sacred cow that should be disturbed as little possible.' Familiar anxieties surrounding the potential penetration of rival powers had informed these decisions. The threat of Russian advances into the Mediterranean, Egyptian expansionism and the 'strong reactivation of French interests in the Indian Ocean' made their friendship with Said indispensable. As these threats declined, the 'powerful humanitarian heart of Britain... began to throb in response to the call of duty!'⁵¹¹ It also reflected changing dynamics within the Foreign Office, which was dominated by Henry John Temple, Viscount Palmerston, between 1830-1834 and 1835-1841. In Palmerston, British abolitionists found a passionate advocate for the cause of anti-slavery facilitated through Liberal foreign policy doctrines.

Palmerston had begun to interpret the principle of non-intervention in a way that allowed him to justify his actions as a moral guardian of European liberalism.⁵¹² He viewed the outer limits of this principle as defined by the expansion and protection of these principles, which included abolition. There was nothing which prevented intervention if what occurred in another state conflicted with British interests. He disavowed Castlereagh and Canning's emphasis on the requirement of a 'great emergency.' Under Palmerston, non-intervention was a flexible device which could be revoked or redeployed to support the growth of liberalism and protection of British interests. Despite their differences, both Liberal and Conservative governments demonstrated a willingness to pursue a universal abolition of the slave trade. As Richard Huzzey notes, there were 'differences of manner and method between Palmerston and Aberdeen – his Conservative opponent in the 1840s – but not

⁵¹¹ Nwulia, *Britain and Slavery in East Africa*, p. 54.

⁵¹² Vincent, R.J., *Nonintervention and International Order*, (Princeton: Princeton University Press, 1974), pp. 90-92.

differences of commitment.⁵¹³ Aberdeen demonstrated his willingness to exceed Palmerston through his eponymous Act of 1845, which enforced a previous agreement with Brazil.⁵¹⁴

With the completion of their initial objectives following the ratification of the Slavery Abolition Act (1833), British abolitionists began to look outwards. Although the first World Anti-Slavery Convention (1840) was designed to deal with all aspects of slavery, elaborating an approach toward influential Muslim rulers was an important policy. President of the Convention, Thomas Clarkson, wrote to Palmerston asking him to obtain a declaration from the Ottoman Sultan condemning slavery to call 'the attention of the Musselman world to the state of opinion among civilised nations and governments.'⁵¹⁵ After a visit from Buxton, Palmerston instructed John Ponsonby, British Ambassador in Istanbul, to obtain an engagement for suppressing the slave trade. Whitehall, he wrote, was 'well aware of the deep root which the System of Slavery has taken in the social organisation of all Mahomedan Countries, and that the object in view must therefore be most difficult of obtainment, but... that they are unwilling to let pass any occasion which might afford them the slightest hope of being able to even mitigate this Evil in any Country it prevails.'⁵¹⁶

⁵¹³ Richard Huzzey, *Freedom Burning: Anti-Slavery and Empire in Victorian Britain* (Ithaca: Cornell University Press, 2012), pp. 70-71.

⁵¹⁴ Kielstra, *The Politics of Slave Trade Suppression in Britain and France, 1814-48*, pp. 207-60,

⁵¹⁵ Cited in Ehud R. Toledano, *The Ottoman Slave Trade and its Suppression, 1840-1890* (Princeton: Princeton University Press, 1982), pp. 92-93.

⁵¹⁶ *Ibid.*

Table 5.0 - Number of boats belonging to specific ports which arrived in Bandar Charak carrying slaves between August-October 1841.

Number of vessels and port of origin	Male	Female	Total	Average per boat
Kuwait (6)	38	65	103	17
Sur (36)	212	143	355	10
Muscat (16)	92	74	166	10.5
Al Jazirah Al Hamra (1)	2	10	12	12
Al-Khaburah (2)	6	1	7	3.5
Sohar (6)	33	54	87	14.5
Lingah (20)	72	122	194	9.75
Muharraq (1)	20	20	40	40
Bandar Charak (1)	6	17	23	23
Ras al-Khaimah (15)	62	81	143	9.5
Abu Dhabi (1)	0	1	1	1
Bahrain (1)	0	1	1	1
Mogoo (1)	1	1	2	1
Qishm (1)	0	2	2	2
Yemen (2)	6	5	11	11
Umm Al Quwain (1)	2	0	2	2
Total	552	567	1151	N/A

Cited in Kemball, 'Slave Trade', P. 658.

Three months later, contact with Said was also initiated. Palmerston's Under-Secretary, Lord Leveson, wrote to Calcutta on 3rd February 1841 that it 'appears that... a considerable traffic in slaves continues to be carried on... more particularly from Zanzibar' to the Persian Gulf.⁵¹⁷ Muscat, Sur and Sohar were deeply involved, as was Ras al-Khaimah (see Table 5.0). Leveson proposed that Said 'should receive an annual payment of 2,000l. Sterling for Three Years, as a Compensation for the Loss of Duty he would sustain by the Abolition of the Trade.' Said had to be 'made to understand that the British Government is determined at all events to put this Slave Trade down' and 'that it has the means of doing so.'⁵¹⁸ Said informed Consul in Zanzibar (CIZ) Atkins Hamerton that he doubted

⁵¹⁷ *Correspondence with the British Commissioners at Sierra Leona, Havana, Rio de Janeiro, Surinam, the Cape of Good Hope, Jamaica, St. Paul de Loanda and Boa Vista relating to the Slave Trade* (London: William Clowes, 1844), p. 362.

⁵¹⁸ *Accounts and Papers*, 16 vols (London: 1841), 16, p. 288.

the authenticity of Leveson's message and asked whether they had come from India or London.

Hamerton informed him that he was 'sorry to see him in this frame of mind' and further to observe that he was 'under the influence of bad advice,' but that the two were 'indivisible.'⁵¹⁹

Opinion in London aligned with Bombay's desire to explore a general prohibition, which was stimulated by the inadequacy of Article IX. Aberdeen informed Said's ambassador Ali Bin Nasir that there was a 'continual, an increasing, and a most earnest desire' in Britain for the 'total extinction of this odious traffic.' Nothing could 'exalt the opinion of his Highness in the country, or to rivet the bonds of friendship... as an unwearied endeavour of his Highness, by every means within his power, to extinguish the revolting custom of Slave Trade.'⁵²⁰ Said was reluctant, calling upon his British allies to plead his case. Sir Charles Forbes wrote to Aberdeen, describing him as the 'most humane and liberal-minded of all the Sovereigns of the East,' who would 'be disposed to at once meet your Lordship's views... if he could do so with safety to himself and his Government.'⁵²¹

Said remained in the dark about Britain's intentions, but despite his best efforts, his protests were ignored and overruled by 1845. He signed the Hamerton Treaty (1845), which prohibited 'under the severest penalties, the export of slaves from his African dominions.' Under Article II, he was required to 'us his utmost influence with all the Chiefs of Arabia, the Red Sea, and the Persian Gulf' to prevent the importation of slaves from 'any part of Africa' into his or their territories. This recognised that despite his comparative decline, Britain still recognised him as a preeminent figure in Trucial Arabian politics. Article III not only extended the right to search and seizure but also proscribed a new restrictive zone that restricted Said's slave trade strictly to a narrow corridor (see Map 5.1).⁵²² Under this new normative order, maritime violence and slave trafficking were rendered illegal. Yet, this was a legal space that was incomplete and retained the fundamental flaws of previous agreements.

Although Oman's legal exports were greatly diminished, further accords were needed with the

⁵¹⁹ Tanganyika Society, *Tanganyika Notes and Records*, 21-30 (Dar es Salaam: Tanganyika Society, 1946), p. 68.

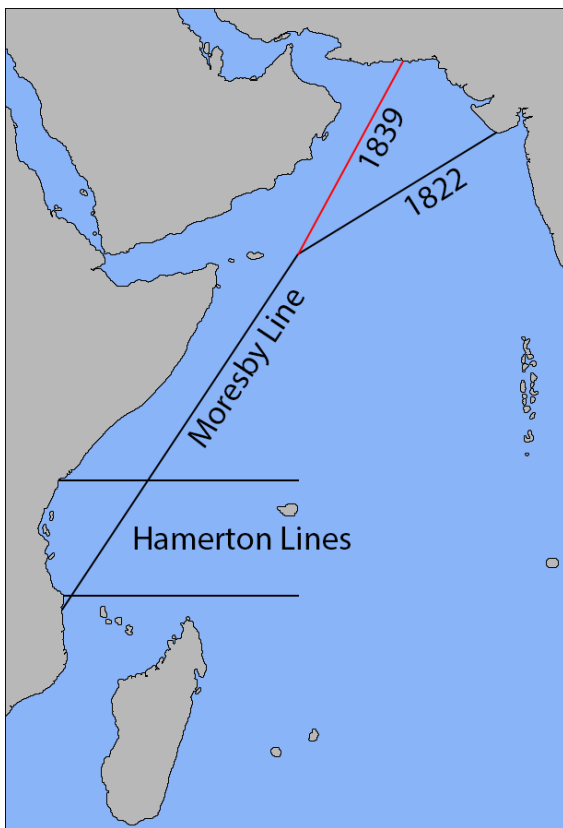
⁵²⁰ Cited in Coupland, *East Africa and Its Invaders*, p. 512.

⁵²¹ *Britain and Foreign State Papers, 1843-1844*, (London: James Ridgway, 1859), 32, pp. 183-84.

⁵²² See Appendix – The Hamerton Treaty, 2nd October 1845.

Ottomans, Wahhabis and Persia. The Trucial sheikhs were also only bound by the 1839 amendments of the Moresby Treaty. While Said was expected to 'use his influence,' he was significantly weakened.

Map 5.1 – Evolution of the Restrictive Lines, 1822-1845



These new boundaries were as much a product of the renewed zeal of British humanitarianism as it was the decline of Said's geopolitical influence. The deficiencies of the General Treaty required that this was not a closed system, but rather a system that remained open and adaptable as trajectories evolved and power dynamics were reorientated. The most immediate impediment to these latest measures would come in the form of growing tensions between Muscat and Sohar and resistance to Anglo-Omani collaboration. As the Batinah coast remained outside Muscat's control, it was reconstituted as a site of resistance fuelled by growing resentment of British influence. Trapped between the resurgent Wahhabis and the impositions of British abolition, Ibadi revivalists sought to resurrect the values of the Imamate, which they believed Muscat had abandoned. Slave traffickers

exploited this instability to build a clandestine network of resistance. Britain's involvement – both intentional and unintentional - in the reduction of Said's authority in Oman had unintended consequences on their efforts to suppress the Trucial slave trade.

5.4 – Slave Trafficker Resistance in the Batinah Coast and Buraimi Oasis

The Hamerton Treaty provided a clear signal of British intentions. By 1847, they secured agreements with the Ottomans, the Qawasim, Abu Dhabi, Ajman, Bahrain, Dubai and Umm Al Quwain and a year later the Persians. There was some variation – the Ottomans required the British to 'deliver up' vessels to their ports and the Persians did not consent to search and seizure until 1851 – but they had managed to secure a ban on the traffic.⁵²³ Yet, precisely how effective were these accords in prohibiting the importation of slaves into Trucial Arabia? One answer to this query lies in an examination of the al-Batinah, where we may recall Muscat's authority was severely limited following the withdrawal of British support. The most significant consequence of these rebellions was Said's loss of the al-Batinah region and Rustaq in the interior.

Whether he could implement the terms of the Hamerton Treaty – if indeed he possessed the appetite to do so – is debatable. As Norman Bennett suggests, in Trucial political culture a sovereign was 'a necessary figure, particularly for dealing with foreign peoples and nation; he was first among a group of equals.'⁵²⁴ Their role was to manage external diplomacy with minimal infringements upon their subjects' lives. It is unclear precisely how many of Said's subjects considered themselves bound by the provisions of any accords or whether he expected them to comply. Cogan had highlighted these considerations in his testimony, supporting Said's initial appeals against the ban. Said was

⁵²³ See Aitchison, *A Collection of Treaties, Engagements, and Sunnuds*, p. 190 and pp. 147-49.

⁵²⁴ Norman Robert Bennett, *Arab versus European: Diplomacy and War in Nineteenth-Century East Central Africa* (New York: Holmes & Meier, 1986), p. 22.

‘regarded by his subjects much more in the light of a Patriarch, presiding over a community, than a despotic Sovereign, governing an extensive empire.’ More importantly, he believed this meant any attempt to compel him to stop the traffic would ‘be the signal for revolt, and the dismemberment of his Government, thereby leaving us numerous petty chieftains to contend with, instead of one responsible and respected head.’ This would result in the slave trade being ‘conducted on a more extensive scale, with the additional horrors attending clandestine operations.’⁵²⁵

These observations proved prescient as conflict resumed. After intervening to secure a peace treaty – which contradicted their non-interventionist justifications for rejecting requests for support from Said - Hamud had been acting independently. These ports under Hamud’s suzerainty were not a party to any anti-slave trafficking agreement as he was not a signatory himself. In 1845, the Wahhabis returned to Al Burami and demanded tribute. Said’s son, Thuwaini, was inclined to continue a policy of appeasement, while Hamud preferred to fight. Thuwaini, acting under Hennell’s advice, brokered a truce, but the Wahhabis quickly broke it, raiding Barka whilst preparing to attack Muscat. In another demonstration of the cyclical nature of Anglo-Omani relations, Hennell protested against the Wahhabis and sent British cruisers to patrol al-Batinah to discourage their advance.

This appears to have worked. The Wahhabis accepted an initial gift of \$2,000 and an annual tribute of \$5,000.⁵²⁶ Said’s prestige suffered because Bushire’s indirect intervention demonstrated further reliance on British support. The Yal Sa’ad of al-Batinah continued to resist the Wahhabis and sought out Hamud to organise an Ibadi confederacy in light of Said’s failures. His seizure of the traditional seat of the Imamate in Rustaq presented an opportunity to appeal to disaffected elements in the face of renewed Wahhabi aggression. Hamud handed over Sohar and his inland strongholds before writing to the principal religious figures of Oman, deploring Said’s failures. This tension reflected a

⁵²⁵ *Britain and Foreign State Papers, 1843-1844*, 32, p. 184.

⁵²⁶ Lorimer, *Gazetteer of the Persian Gulf*, pp. 457-58.

century of division. Oman had been split between the coast and the interior during the Yaruba civil war (see Table 5.1).

Table 5.1 - Imams of Oman during the Yaruba Civil War (1722-1749)

Ruler	Reign	Cause of Death/Deposition
Saif bin Sultan II (First)	1718-1719	Election of Muhanna as Imam by <i>ulama</i> .
Muhanna bin Sultan	1719-1720	Deposed and murdered by Ya'Arab.
Saif Bin Sultan II (Second)	1720-1722	Ya'arrab declared himself regent and then Imam.
Ya'arab bin Bel'arab	1722-1722	Defeated at Nizwa by Saif and Bel'arab bin Nasir.
Saif bin Sultan II (Third)	1722-1724	Deposed by Mohammed bin Nasir
Mohammed bin Nasir	1724-1728	Killed in battle at Sohar.
Bal'arab bin Himyar (Interior)	1728-1737	Renounced claim following defeat by Iran.
Saif bin Sultan II (Coast/Final)	1728-1742	Deposed and killed by Iranian allies.
Sultan bin Murshid	1742-1743	Killed in battle at Sohar.
Bal'arab bin Himyar (Interior)	1743-1749	Second reign ended with death at Jebel Akhdar.

Lorimer, *Gazetteer of the Persian Gulf*, pp. 407-20

Ahmad bin Said's descendants preferred the honorific title of *Sayyid* (Sultan) and centred their power around the commercial viability of the coast. Hamad bin Said officially established his court in Muscat after deposing his father Said bin Ahmad, who retained the title of Imam until 1803.

Crucially, Said bin Ahmad faced opposition from his brother Qais. Qais was unofficially elected Imam by disgruntled elites in al-Batinah, but this revolt collapsed. Said bin Ahmad was the last officially recognised Imam.⁵²⁷ The title remained in abeyance but was now reinvoked. Even if Said bin Sultan wanted the Imamate, the *ulema* was deeply sceptical of his association with outsiders. His failure to repel the Wahhabis, J.B. Kelly argues, had done more to radicalise devout Ibadis than the militancy of Wahhabi proselytism.⁵²⁸ Sultan's line supported 'moderate' Ibadism, which emphasised cooperation with non-Muslims and the development of a cosmopolitan commercial culture, whilst the al-Qais combined with the 'conservative' Ibadism of the interior.⁵²⁹ Whatever ambitions Hamud's allies harboured, they were quickly squandered. When Hennell visited Sohar to try and

⁵²⁷ See Illustration 5.0.

⁵²⁸ John Barrett Kelly, 'A Prevalence of Furies: Tribes, Politics, and Religion in Oman and Trucial Oman', in *The Arabian Peninsula: Society and Politics*, ed. by Derek Hopwood (London: Routledge, 1972), pp. 107-44 (p. 110).

⁵²⁹ Robert Geran Landen, *Oman Since 1856: Disruptive Modernization in a Traditional Arab Society* (Princeton: Princeton University Press, 1967), p. 70.

close the jurisdictional loophole in Britain's treaty network, he discovered it had fallen into the possession of his son Saif bin Hamud. Saif was murdered on 25th March 1850, allegedly at the instigation of his father.⁵³⁰

Recognising the weakness of his position, Hamud agreed to an engagement with Britain, which committed him to abolish the slave trade. Sensing an opportunity, Thuwaini attacked Sohar under the pretext of Hamud breaking their peace treaty. He was imprisoned at Muscat, where he subsequently died.⁵³¹ Sohar itself refused to surrender, regarding Hamud to be a dead man.

Hamud's brother, Qais bin Azzan, declared Hamud was 'only one man. Should he die or be killed, do not complain of what will after this take place between us and [Muscat].'⁵³² Sultan bin Saqr, eager to regain his possessions along the Shamaliyah Coast, seized Khor Fakkan again and helped drive Thuwaini back to Muscat. Mullā Husayn, the Sharjah Agent, brought an alarming report to Hennell. Husayn reported that two Buglahs had recently visited Zanzibar from Ras al-Khaimah, where they had 'by degrees clandestinely' collected several slaves who they embarked on boats belonging to Sur.⁵³³ Not only had Sultan taken advantage of the dispute between Sohar and Muscat, but he appeared to be exploiting Omani instability to circumvent the Treaty of Engagement (1847).

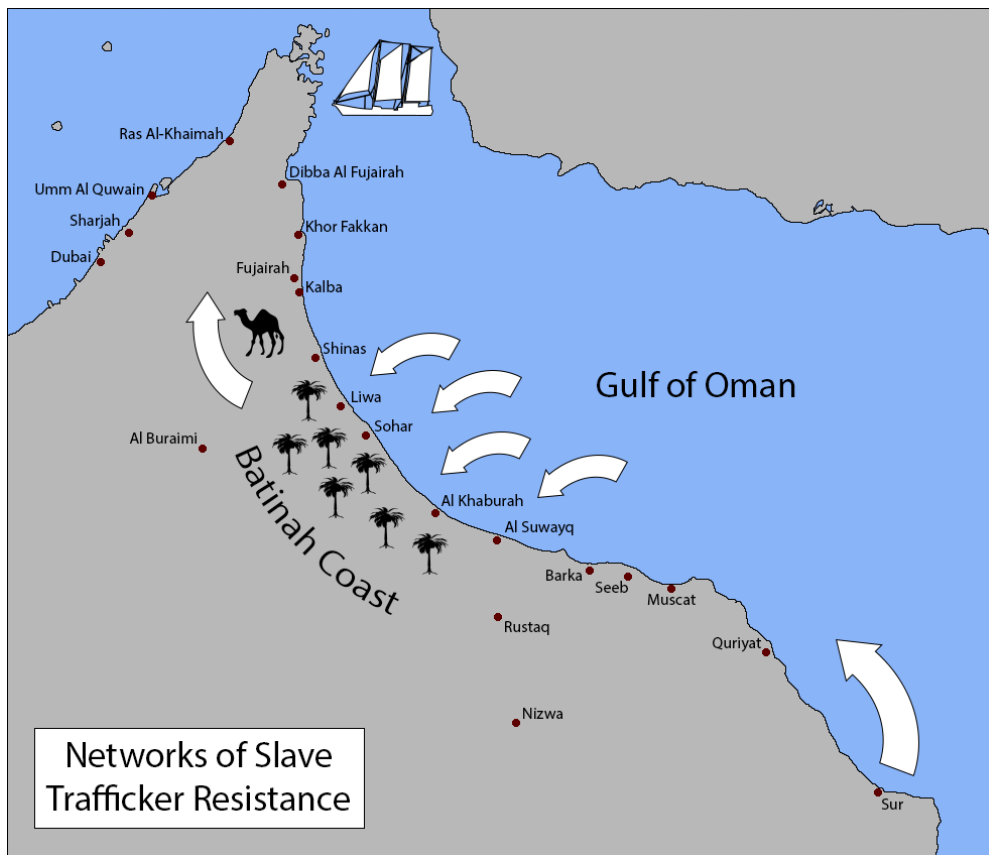
⁵³⁰ Saldanha, *The Persian Gulf Précis*, pp. 231-32.

⁵³¹ *Ibid.*, p. 233.

⁵³² *Ibid.*

⁵³³ London, BL, India Office Records and Private Papers, IOR/R/15/1/127, fols 23-25, Letter No. 231 of 1851 from Samuel Hennell to Arthur Malet, 11 July 1851
<https://www.qdl.qa/en/archive/81055/vdc_100022698165.0x00002e>.

Map 5.2 – Slave Traffickers Network of Resistance along the Batinah Coast



Hennell learned Sharjah had 'imported a greater number this season than in previous years, the total number being 495. Husayn 'feared that many more have been imported which have not come to his knowledge.'⁵³⁴ He believed they were 'desirous that this trade should be carried on', as it was profitable to them. He stated they 'first touch at the Port of Sur... When they have an opportunity, they leave the place clandestinely at night and conceal themselves during the day until they arrive at the ports on the Coast of Batinah... where they land the slaves secretly... They conceal their cargoes there while their vessels return to their ports without any onboard. After everything has been hushed, they convey the slaves secretly by land concealing them among the date groves... and on the seashore.'⁵³⁵ Once disembarked they 'brought them over land to the date groves of Ras al-

⁵³⁴ BL, IOR/R/15/1/127, Letter No. 231 or 1851, 11 July 1851.

⁵³⁵ London, BL, India Office Records and Private Papers, IOR/R/15/1/127, fols 18-19, Letter No. 164 of 1851 from Samuel Hennell to J.P. Porter, 28 May 1851
<https://www.qdl.qa/en/archive/81055/vdc_100022698165.0x000024>.

Khaimah... and other places.' Those which were not absorbed into local markets were then exported under a general rule 'not to touch at Bushire for fear of the British cruisers.'⁵³⁶

What had been discovered was the embryonic stages of a network of resistance. As Lester highlights, networks created by British interests were either 'layered on top of pre-colonial networks, adding new levels of complexity, or those pre-colonial networks were fundamentally disrupted and restructured' in response to British intervention.⁵³⁷ Whilst slave prices declined between 1847-1849, this reflected the astuteness of traffickers. Once they ascertained conditions were not stricter in practice, the trade revived. The decision to land slaves along al-Batinah was a response to the British presence around the Strait of Hormuz.⁵³⁸ Even British vessels which were successful experienced difficulties. Camouflage was one element of resistance that allowed intercepted vessels to avoid punishment. As Britain distinguished between the institution and the traffic, the transport of domestic slaves remained legal. George Sullivan wrote that 'Twenty or thirty... are told off to represent the crew; the half-dozen Arabs... dress some of the women slaves, each representing one as his wife, and sometimes he is fortunate enough to have two; the remainder of the negroes... are dressed up in Arab costumes... and called passengers...'⁵³⁹

One solution was to employ interpreters, but naval officers distrusted them. William Coghlan believed that 'common native interpreters, who... are open to bribery, and by no means disposed to discriminate between the real crew and the slaves who are often falsely represented to belong to it.'⁵⁴⁰ Traffickers developed a system of signals that informants used to convey the location of British

⁵³⁶ London, BL, India Office Records and Private Papers, IOR/R/15/1/127, fols 31-32, Letter No. 348 of 1851 from Samuel Hennell to Arthur Malet, 30 October 1851

<https://www.qdl.qa/en/archive/81055/vdc_100023517346.0x000010>.

⁵³⁷ Lester, 'Imperial Circuits and Networks', p. 134.

⁵³⁸ Hideaki Suzuki, *Slave Trade Profiteers in the Western Indian Ocean: Suppression and Resistance in the Nineteenth Century* (Cham: Palgrave Macmillan, 2017), pp. 49-50.

⁵³⁹ Captain George L. Sullivan, *Dhow Chasing in Zanzibar Waters and on the Eastern Coast of Africa: Narrative of Five Years' Experience in the Suppression of the Slave Trade* (London: Sampson Low, 1873), p.61.

⁵⁴⁰ Cited in Suzuki, *Slave Trade Profiteers in the Western Indian Ocean*, p. 48.

cruisers to the boats hiding along the shoreline.⁵⁴¹ These connections were intimately aware of the evolving political conditions, allowing traffickers to exploit the instability in Oman. These informants relied on the willful ignorance of local officials whose acquiescence to local authority was nominal. Husayn accused Sultan bin Saqr of requesting that slaves be landed at ports along al-Batinah and 'if they were desirous to bring the slaves to Ras al-Khaimah they should do so by land.' The sheikhs of 'these quarters... permit their subjects to traffic in human flesh and I believe they receive a [share] of the profit their people may gain. It is thus they evade the treaty.'⁵⁴² Husayn was adamant that 'if it were not agreeable to them that the trade should be prosecuted, their subjects would not dare to carry it on.' Unless Britain seized vessels, he believed they will 'never relinquish it.'⁵⁴³

Despite securing agreements, 'no measures have been taken to put it down.'⁵⁴⁴ If transgressors were 'not severely punished by this Government, they will not leave off the trade in slaves... when enquiries are instituted on this subject, they make excuses which are admitted...'⁵⁴⁵ He believed there was little appetite to implement the provisions and that responsibility would fall squarely on the British. If they wanted to establish their new normative order, they needed to invest the resources to do so. Hennell was reminded that although Bombay's policy was 'to strengthen the influence and power' of Said as much as possible, interference could 'scarcely be exercised to shield [Thuwaini] from the consequences of his rash, inconsiderate and faithless conduct.' The policy remained 'to abstain from all interference in disputes by land,' avoid 'anything like coercion' and limit himself to taking advantage 'of any opportunity which may present itself for acting as a friendly mediator between the parties.'⁵⁴⁶ It would take Said's return from East Africa – under British influence, as fears of a potential conservative takeover of Muscat mounted – that the al-Qais branch

⁵⁴¹ Johan Mathew, *Margins of the Market: Trafficking and Capitalism across the Arabian Sea* (Oakland: University of California Press, 2016), p. 66.

⁵⁴² BL, IOR/R/15/1/127, Letter No. 164 of 1851, 28 May 1851.

⁵⁴³ BL, IOR/R/15/1/127, Letter No. 231 of 1851, 11 July 1851.

⁵⁴⁴ Ibid.

⁵⁴⁵ BL, IOR/R/15/1/127, Letter No. 348 of 1851, 30 October 1851.

⁵⁴⁶ London, BL, India Office Records and Private Papers, IOR/R/15/1/119, fols 31-32, Letter No. 184 of 1850 from Secretary to the Government to Samuel Hennell, 3 October 1850
<https://www.qdl.qa/en/archive/81055/vdc_100024222528.0x000010>.

would finally be removed. He took possession of Sohar and Shinas, leaving Rustaq and Haybi in Qais' possession.⁵⁴⁷

The conflict indicated the dangers that reduced political authority posed to legal space. Traffickers exploited the collapse of Omani political authority to resist British efforts.⁵⁴⁸ Slaves were disembarked where Said's authority was non-existent or severely compromised. Al-Batinah was in complete disarray, creating a vacuum where resistance could be. The ensuing results were a combination of ineffective mechanisms for suppression and the unintended consequences of British non-intervention, which allowed Said's authority in Oman to almost collapse completely. Cogan's observations were even more prescient when we consider his recommendations. He argued that if they made 'some equivalent for his losses' and aided him 'in the recovery of some of his lost dominions, it would partly reconcile a powerful part of his own adherents to the undertaking.' Co-operation with Said was viewed as providing a check on the 'discontented chieftains on the coast, who, in a minor degree, would become losers by the abolition of the trade.'⁵⁴⁹ As James Onley and Sulayman Khalaf have discussed, Trucial authority was characterised by 'frailty, vulnerability and precariousness' as rulers navigated various pressures and risks.⁵⁵⁰

Ruling families were often large, dissatisfaction could easily lead to assassination or deposition and the elevation of another candidate who may not have been considered bound by the agreements of their predecessors. Qais bin Azzan's declaration after Hamud's death illustrated this. While Britain considered their engagements to have been made with a figurehead representing a *state*, this was not an interpretation that recognised the fluidity of Trucial politics. Rulership was highly personalised and loyalty to one ruler (or title) was not automatically owed to their successors.

⁵⁴⁷ Landen, *Oman Since 1856*, p. 70.

⁵⁴⁸ London, BL, India Office Records and Private Papers, IOR/R/15/1/123, fols 18-21, Letter No. 296 of 1850 from Samuel Hennell to Arthur Malet, 1 August 1850

<https://www.qdl.qa/en/archive/81055/vdc_100028714542.0x00000a>.

⁵⁴⁹ *Britain and Foreign State Papers, 1843-1844*, 32, p. 185.

⁵⁵⁰ James Onley and Sulayman Khalaf, 'Shaikhly Authority in the Pre-oil Gulf: An Historical–Anthropological Study', *History and Anthropology*, 17:3 (2006), 189-208 (pp. 190-92).

Obedience had to be earned through an exchange of protection and assistance in return for taxes and military assistance. Administrations were loosely structured and their ability to project power beyond the towns controlled directly was limited.

Bombay's unwillingness to penetrate the domestic sphere and the official commitment to non-intervention limited their efforts to a maritime space. The delineation between the institution and the traffic only exacerbated this artificial division. They had established a new normative order around the dual illegalities of maritime violence and slave trafficking, which was used to construct their identity as a maritime peacekeeper. The expansion of a prohibition of the Trucial slave trade solidified the intentions they had signalled under Article IX. Within this new legal space, both maritime violence and slave trafficking were rendered anathemas to the tranquillity of the Persian Gulf and legitimate commerce. The legal slave trade established under the Moresby Treaty was outlawed and maritime violence was proscribed 'in perpetuity.' Yet, the flaws that undermined the previous protocols were by no means eradicated. Both Oman and Bahrain were exempt from the Maritime Truces, while the institution of slavery – which drove the traffic – remained untouched by British proscriptions. By privileging British paramountcy, which was considered vulnerable to resistance if any attempt to suppress slavery was attempted, officials sowed the seeds for future dilemmas.

These developments also revealed inherent tensions within the British imperial network. As Darwin notes, 'imperial rule had more than one object,' coherent policy was 'always a pipe-dream.' The absence of a 'single helmsman' to steer imperial priorities meant that rule 'depended on so many agents and allies, a whole mass of hands tugged the wheel this way and that in a series of zigzags or even U-turns.'⁵⁵¹ Although Bombay continued to officially adhere to non-interventionism, Hennell had dispatched cruisers in response to the Wahhabi advance and negotiated a peace settlement between Muscat and Sohar. Even Bombay contradicted itself based on who held the Governorship.

⁵⁵¹ Darwin, *Unfinished Empire*, p. 191.

While John Malcolm was willing to uphold Said's authority with tangible support, FitzGibbon had used the Sultan's rejection as a precedent to withhold it.

The trajectories produced by the imperial network which shaped imperial spaces like the Trucial system constantly evolved. They were also prone to re-assessment as priorities evolved and officials were replaced. Said was still a valuable component of the imperial network. Informal imperialism relied on collaboration with local powerbrokers to uphold British paramountcy. Yet, as geopolitical power hierarchies were reorientated, his bargaining power diminished and the priorities of British stakeholders dominated these new equations. As Doreen Massey proposes, we must because space is a 'product of relations', they are always 'under construction... it is never finished; never closed', but rather a simultaneity of stories-so-far.' As multiplicity defines space, alterations in existing dynamics would inevitably generate change.⁵⁵²

As Said's authority and external influence diminished, the space shaped by a larger consideration of Omani priorities as a counterweight to French ambitions evolved. They were superseded within the imperial network by the priorities of abolitionist stakeholders who exerted their influence on the trajectories between London, India and Trucial Arabia. Yet, these shifting dynamics also introduced new calculations to Britain's legal space, as resistance networks emerged to circumvent anti-slave trafficking measures. They found fertile soil in the unstable regions of Oman, where Said's diminishing authority within this new equation created a vacuum. This was soon filled by slave traffickers eager to resist British imperialism. Although the underlying logics and artificial division between domestic and maritime spaces were now more clearly defined, the process of Trucialisation was incomplete. However, the forces which had precipitated a re-evaluation of the General Treaty would continue to inform Britain's evolving relationship with Trucial Arabia.

⁵⁵² Massey, *For Space*, p. 9.

6.0 – British Indian Subjects, Extraterritoriality and Legal Imperialism

Britain's efforts against the Trucial slave trade during the 1840s were indicative of a broader transition into a more active role. Eleven years after signing the Hamerton Treaty, Said bin Sultan's fifty-year reign ended. Although Said's influence had declined, he provided a lengthy continuity in Anglo-Omani relations, maintaining the territorial integrity of Oman's disparate possessions. After Said's death, it was inevitable that British officials would need to re-assess their relationship, but contemporaneous events in India would also inform them. The Sultan's death coincided with the Indian Rebellion of 1857 – or the First Indian War of Independence (hereafter Indian Crisis). Although the uprising was defeated, it was a significant indictment of Company rule. After the Indian Crisis, the pre-existing political orthodoxy of non-intervention would be increasingly challenged as the British Indian administration underwent further re-organisation. This would have significant consequences not only for the subcontinent but also for Trucial Arabia. In this chapter, we will examine the early stages of this transformation and Britain's re-examination of its relationship with its British Indian subjects:

Firstly, we will examine how British policy transformed in the aftermath of the Indian Crisis and the Omani Succession Crisis. This will provide a context for the evolution of British policy, which would be divided between emerging schools of 'masterly inactivity' and 'new imperialism.' In London, the Foreign Office and Westminster were dominated by the Liberals under Viscount Palmerston and the Conservatives under the Earl of Derby, who held different views on foreign policy. In Asia, Governor-General Charles Canning was faced with a dual crisis: Indian resistance spelt the end of Company Rule, while the death of Said after a fifty-year reign led to a succession crisis between his sons. As order was re-established, they faced growing tensions as Thuwaini bin Said prepared to launch an invasion of Zanzibar, prompting a direct intervention by British authorities. The Canning

Award (1861) divided Oman and Zanzibar, representing a radical departure from the established orthodoxy of non-intervention and was indicative of a growing willingness to interfere more directly.

Secondly, we will establish the role Indian merchants played in Trucial Arabian politics. In doing so, we will demonstrate how British penetration of the Trucial socio-political fabric led to loopholes through which Indian merchants could circumvent their anti-slave trafficking measures. Indian merchants played a crucial role in the administrations of Trucial rulers. After the General Treaty, Bushire constructed an indigenous information network through the employment of Native Agents. Although this conformed with the collaborative logic of informal imperialism, the extension of British protection undermined the reciprocal relationships between local rulers and the mercantile community. This was compounded by Atkins Hamerton's attempts to delineate between British and Omani subjects as British authorities began to explore their extraterritorial rights. This decision would prove disastrous. Indian merchants began to exploit their contested origins to circumvent prosecution of their involvement in the slave trade.

Thirdly, we will explore the expansion of extraterritorial jurisdiction over British Indian subjects under the Rigby Emancipation. Here we will demonstrate how Hamerton's approach was replaced by his successor, informed by a broader expansion of British extraterritorial power. After the collapse of the Levant Company, jurists were eager to establish the rights of the state to extend extraterritorial jurisdiction over British subjects in foreign territories. Under the Treaty of Commerce (1839), British subjects residing in Omani dominions were placed under the jurisdiction of British authorities, who were authorised to adjudicate disputes against them. Section 3 of the Indian Penal Code (1856) also established that Indian subjects were still held liable for contraventions of British law in foreign territories. Utilising these precedents, CIZ Christopher Palmer Rigby prosecuted British Indians who were found to be involved in the slave trade.

Finally, we will examine how debates surrounding the protection of British Indian subjects in Trucial Arabia emerged within the context of this broader expansion of extraterritorial jurisdiction. Here, we

will establish how growing tensions in India were beginning to be played out in Trucial Arabia. After a Wahhabi attack on the Omani port of Sur, which led to the robbery and death of British Indian merchants, PRPG Lewis Pelly launched a punitive expedition against them. Pelly believed it was his duty to provide protection and demand restitution for their injuries, a position supported by the new Bombay Governor, Sir Bartle Frere. He was at the vanguard of an emerging school of 'new imperialism,' which advocated for more active participation in the internal affairs of their informal interests under a system of indirect rule. Despite enjoying the support of Frere, Pelly was chastised by Governor-General John Lawrence, the architect of 'masterly inactivity.' Trapped between these contending views, upholding the rights of British Indian subjects was increasingly unclear.

6.1 – British Foreign Policy, Non-Intervention and the Indian and Omani Succession Crises

Mid-nineteenth-century politics were dominated by John Henry Temple, Viscount Palmerston, and Edward Smith-Stanley, 14th Earl of Derby, on either side of the two-party system dominated by the Whigs and Liberals and Tories and Conservatives. David Brown has argued that 'they had much more in common than the adversarial nature of British politics allowed them always to admit.'⁵⁵³ One of their more significant deviations was foreign policy. Palmerston was named Foreign Secretary for the first time upon the Whig's return to power on a platform that placed the abolition of slavery at the centre of various moral reforms. He emerged during the 1830s as a vocal champion of Liberalism, viewing the July Revolution in France as an event 'decisive of the ascendancy of Liberal principles throughout Europe.'⁵⁵⁴ According to R.J. Vincent, Palmerston's enthusiasm for the spread of

⁵⁵³ David Brown, 'The Fourteenth Earl and the 'Political Chameleon': Changing Views of Palmerston from Knowsley', in *Conservatism and British Foreign Policy, 1820–1920: The Derbys and their World*, ed. by Geoffrey Hicks (Farnham: Ashgate Publishing, 2011), pp. 59-79 (p. 60).

⁵⁵⁴ Cited in Countess Mabella Arlie, *Lady Palmerston and Her Times*, 2 vols (London: Wentworth Press, 1922), 1, pp. 172–4.

liberalism 'had its doctrinal root in the belief that constitutional reform averted revolution.' He believed British intervention on behalf of liberalism was a practical method for avoiding revolutionary disruption, which threatened the balance of power. Canning's protocols were replaced by Palmerston's greater concern with the 'objectives or principles for which intervention was undertaken.'⁵⁵⁵

Despite his willingness to intervene, Palmerston refused to sacrifice British paramountcy for ideological victories. Humanitarian rhetoric only resulted in actions in Britain's interests, though he conceived of these as involving a commitment to liberalism and Britain's position of moral superiority.⁵⁵⁶ He was determined to act decisively whenever he believed it would be advantageous, this starkly contrasted with the doctrine favoured by his Conservative rival Derby. He believed expensive interventions overseas should be avoided wherever possible. While he supported notions of progress, he did not believe it was Britain's responsibility to actively promote it. Action should be limited to occasions where their interests or the European balance of power were threatened.⁵⁵⁷ According to Angus Hawkins, Derby rejected 'Palmerstonian bluster.' Instead, he promoted conciliatory negotiation and the preservation of 'cordial diplomatic relations with the continental Great Powers.' He proposed Britain sought to act in a mediatory capacity to arbitrate European disputes to uphold the balance of power established in the Treaty of Vienna.⁵⁵⁸

Derby's positions bore more similarities with the doctrines of Castlereagh and Canning, whose son, Charles Canning, would find himself at the centre of seismic change. His tenure as Governor-General coincided with the death of Said bin Sultan and the dissolution of Company Rule in India, both of which would have significant implications for Trucial Arabia. Canning was not unaware of the growing tensions in the subcontinent. During a farewell dinner in London, he remarked that 'a small

⁵⁵⁵ Vincent, *Nonintervention and International Order*, p. 92.

⁵⁵⁶ *Ibid*, pp. 92-93.

⁵⁵⁷ Brown, 'The Fourteenth Earl and the 'Political Chameleon'', p. 64.

⁵⁵⁸ Angus Hawkins, 'Derby Redivivus: Reflections on the Political Achievement of the Fourteenth Earl of Derby', in *Conservatism and British Foreign Policy, 1820–1920: The Derbys and their World*, ed. by Geoffrey Hicks (Farnham: Ashgate Publishing, 2011), pp. 19-40 (p. 27).

cloud may rise, at first no bigger than a man's hand but which... may at least threaten to overwhelm us with ruin.⁵⁵⁹ Contrary to later orthodoxy, Sayyid Ahmad insisted the revolt was not merely a mutiny on the part of the disgruntled soldiers, but a response to multiple grievances. Among these were British cultural policies that threatened accepted norms, severe revenue assessments and the degradation of landed a princely elite, as well as continued British expansion.

Although the revolt itself began with a military mutiny borne of festering grievances among the Bengal Army, it was a catalyst that ignited simmering resentment towards Company rule. Sepoys posted in Meerut massacred British residents before beginning a march on Delhi. Others rapidly flocked to the cause and northern India spiralled into chaos.⁵⁶⁰ The episode was an unmitigated disaster for Company officials and a tragedy for those caught in the violence. By the time Montgomery reported on 5th January 1859 that the Indian Crisis was over and 'the utmost tranquillity prevails throughout Oudh' hundreds of thousands were dead.⁵⁶¹ It only failed because the British were willing and able to pour large supplies into protecting their imperial interests and by the mid-nineteenth century, they possessed enough material power that the question of surrendering their position was never in doubt.⁵⁶² Yet, it had shaken the foundation of Company rule in India significantly.

The Government of India Act (1858) transferred the administration of the subcontinent and its armies to London under the newly created Secretary of State for India. Direct administration of India was deputised to a Viceroy who acted on his behalf, the first of whom was Canning, who transitioned from his existing position. The Queen's Proclamation reassured the Indian princes who

⁵⁵⁹ Cited in John Harris, *The Indian Mutiny* (Ware: Wordsworth Editions, 1973), p. 11.

⁵⁶⁰ Barbara Metcalf and Thomas Metcalf, *A Concise History of Modern India* (New York: Cambridge University Press, 2012), pp. 100-3. Although the disturbances were referred to at the time as a 'Mutiny' or 'Rebellion', the event gradually began to be reconceptualised by anti-colonial campaigners as the 'First Indian War of Independence.' Given the charged nature of terminology, I have elected to use the neutral term 'Indian Crisis' for this study within the context of the precise threat it posed towards the British imperial infrastructure which is of most relevance to our discussion of British imperialism in Eastern Arabia.

⁵⁶¹ Chopra, *A Comprehensive History of India*, p. 118.

⁵⁶² Thomas Metcalf, *Aftermath of Revolt: India 1857-1970* (Princeton: Princeton University Press, 1964), p. 54.

supported Britain during the conflict. This would have implications for Trucial Arabia. Proximity and loyalty to Bombay would become an important requisite for retaining personal power. The Proclamation also promised there would be no racial discrimination in public appointments. It announced the establishment of secular governance for India, offering a Liberal imperialist vision for the future.⁵⁶³ Central to this equation was precisely how close the relationship between London and India would be and the precise nature of how imperial rule would function, both of which would have an equally profound effect on their interests elsewhere in the region.

On the one hand, the crisis had vindicated the anxieties of colonial governors who urged pragmatism and non-interference in the internal affairs of their subjects. Yet, on the other hand, it highlighted the necessity of securing more substantial control over British interests to dissuade further resistance. The India Act was the culmination of the gradual erosion of the Company's autonomy, which had begun with the Regulating Act (1773). The Charter Act (1833), which had coincided with Palmerston's emergence, terminated the commercial functions of the Company in exchange for nearly ninety million pounds in compensation from India's revenues and removed all restrictions on the immigration of British subjects. Crucially, it was to run the administration of India in trust for the Crown. It also greatly increased the powers of the Governor-General, while reaffirming the subordination of the Presidencies. Under the Act, the Governor-General was invested with absolute authority to control the civil and military administrations of the Presidencies and each Governor was bound to obey his instructions. It also reconfirmed his power to suspend individual members of the Presidential Government under Pitt's India Act (1784) for disobedience, while reducing the strength of their councils from three to two.⁵⁶⁴

This was important as Trucial Arabian affairs were largely delegated to Bombay, who acted in consultation with Calcutta. The centralisation of power around the Governor-General, who was

⁵⁶³ Lionel Knight, *Britain in India, 1858-1947* (London: Anthem Press, 2012), p. 8.

⁵⁶⁴ R.C. Agarwal, *Constitutional Development and National Movement of India: Freedom Movements, Acts and Indian Constitution* (New Delhi: S. Chand, 1994), pp. 25-26.

increasingly accountable to the Board of Control, strengthened the bonds between the metropolitan government and India. Despite this, members of Parliament continued to strongly oppose the Company's retention of administrative powers over India. By the time of its impending renewal in 1853, the main question was whether the Company's share in the administration of the subcontinent should be entirely transferred. However, as William Foster argues, the Government was 'too weak and too much absorbed in other questions to take a strong line on the subject of India.' The Charter Act (1853) mostly maintained the status quo, although the Court of Directors was reduced from twenty-four to eighteen. Six of these were Crown appointments, all eighteen were required to have served in India for at least a decade, providing an easy transition five years later to the Council of India.⁵⁶⁵

The timing of this transformation was auspicious. As the Indian Crisis erupted in India another seismic shift was taking place in Oman and Zanzibar, which had gone mostly unnoticed. On 19th October 1856, Said bin Sultan died during a voyage from Muscat to Zanzibar, just off the Seychelles. Shortly following his departure, he suddenly fell ill. His condition rapidly deteriorated, dysentery set in and his fifty-year reign ended. It would take some time before Britain heard of his passing, but neither could pay serious attention to the matter. Despite his declining influence, Said provided a reassuring continuity and his death carried with it a lot of uncertainty. Said was officially married three times, though none of them bore him any children. Instead, his thirty-six children were the offspring of seventy-five concubines of varying origins.⁵⁶⁶ Thuwaini, who had already been acting as Said's regent, succeeded him in Oman whilst Majid assumed control of Zanzibar.⁵⁶⁷

⁵⁶⁵ William Foster, 'The India Board (1784-1858)', *Transactions of the Royal Historical Society*, 11 (1917), 61-85 (pp. 83-84).

⁵⁶⁶ J.W. Heldring, *The Killing of Dr. Albrecht Roscher: The Story of a Young German Explorer in East Africa, 1858-1860* (Bloomington: Xlibris Corporation, 2011), p. 132.

⁵⁶⁷ Lorimer, *Gazetteer of the Persian Gulf*, p. 469.

Majid faced significant internal opposition from his brother Barghash in the absence of a CIZ.⁵⁶⁸ Despite the appointment of an Apothecary due to concerns surrounding high mortality rates among Europeans, Atkins Hamerton died of liver disease in July 1857.⁵⁶⁹ Rumours circulated widely that if Britain was supplanted from India, they may never return. It was not until 25th July 1858 that his replacement, Christopher Palmer Rigby, arrived to assume office, where he defended Majid from Barghash and Thuwaini, who was preparing to press his claim of suzerainty over Zanzibar. After a short delay, Griffith Jenkins intercepted Thuwaini. Reluctantly, Thuwaini agreed his claims to Zanzibar would be submitted to British arbitration. This was a significant departure from their established avoidance of interference in internal affairs. However, Canning was not entirely wedded to the principles of non-intervention that had guided his father. The resulting Canning Award (1861) was consistent with what Jeremy Jones and Nicholas Ridout described as a 'wider reformulation of British policy in the region at this time, much of which was undertaken, at least partly, in response' to the India Crisis.⁵⁷⁰

These restructures indicated a move towards greater centralisation of British power and increased employment of officials and agents, who brought with them a 'new imperialist' agenda of political, social and cultural reform. This also included their various allies, dependencies and protectorates. As Alan Lester notes, 'newly instituted networks have destructive as well as creative effects.' Although imperial networks brought together previously disconnected 'activities, lives and practices,' they also allow previous connections to be 'wrenched apart.'⁵⁷¹ This was certainly the case with the Canning Award, which severed the joint administration of Muscat and Zanzibar and reconstituted their relationship under British supervision. Under its terms, Thuwaini and Majid were declared rulers of Oman and Zanzibar respectively. Majid was obligated to pay an annual subsidy of \$MT

⁵⁶⁸ Jeremy Prestholdt, 'From Zanzibar to Beirut: Sayyida Salme bint Said and the Tensions of Cosmpolitanism', in *Global Muslims in the Age of Steam and Print*, ed. by James L. Gelvin and Nile Green (Berkeley: University of California Press, 2014), pp. 204-26 (p. 209).

⁵⁶⁹ Judy Aldrick 'British Consulates in Zanzibar', *Old Africa Magazine*, 78, (2018) <<https://www.academia.edu/39328743/British_Consulates_in_Zanzibar> [accessed 12th July 2020].

⁵⁷⁰ Jones and Ridout, *A History of Modern Oman*, p. 67.

⁵⁷¹ Lester, 'Imperial Circuits and Networks', p. 134.

40,000 to Muscat to compensate Thuwaini for his 'abandonment of all claims upon Zanzibar and adjusting the inequality between the two inheritances derived from your father.'⁵⁷² This included arrears of \$MT 80,000 for the two years covering Canning's arbitration.

Said's transfer of power from Muscat to Zanzibar already had a deleterious effect on Muscati authority. Although clandestine networks merged in this vacuum to circumvent British restrictions, Oman's economy still suffered. The economy had already begun to collapse during Said's lifetime and many Omani families emigrated to Zanzibar.⁵⁷³ Although both parties agreed to the terms, neither was truly satisfied and the reorganisation of regional power hierarchies would have a significant impact. The Canning Award formed a significant reorientation of the trajectories in the imperial network, not only in Oman but also in Trucial Arabia more broadly.⁵⁷⁴ Under Said, Oman retained its territorial sovereignty. Although they enjoyed a turbulent relationship, Said's lengthy reign provided a constant in the Anglo-Omani connection. British officials long harboured anxieties over potentially hostile successors re-opening the Indian periphery to French penetration.

No matter how committed Canning's successors were to non-intervention, Britain could no longer avoid entanglement in Omani domestic politics after their mediation.⁵⁷⁵ The terms of the award itself rendered this an impossibility, as the Zanzibar subsidy – which Majid frequently refused to pay – was pivotal to the disintegration of Omani stability. Over a decade, Oman was plunged into an internecine conflict that reignited along the familiar fault lines between dynastic branches and Ibadi resistance to external encroachments. Alarming, this opposition was both fostered in and supported by Zanzibar, revealing the consequences of the political separation of territories that remained interconnected. Despite Canning's intrusions, this did not mark the official demise of

⁵⁷² See Appendix - The Canning Award, 2nd April 1861.

⁵⁷³ Peter G. Emery., *Forty Years in Arabia* (New York: Lulu Publishing, 2017), p. 81

⁵⁷⁴ Marc Valeri, *Oman: Politics and Society in the Qaboos State* (London: Hurst & Company, 2009), p. 28.

⁵⁷⁵ Landen, *Oman Since 1856*, p. 200.

British non-interventionism. After the untimely death of his successor James Bruce of a heart attack, he was replaced by Sir John Lawrence.⁵⁷⁶

Lawrence possessed an intimate understanding of conditions in India. In his capacity as Chief Commissioner of Punjab, he formulated a policy called 'masterly inactivity' in 1858. Canning initially rejected this suggestion, but upon his appointment, Lawrence was determined to implement it. The ensuing conflict between proponents of 'masterly inactivity' and the wave of 'new imperialists' would inevitably define their relationship with Trucial Arabia. The most immediate battleground between these emerging imperial visions related to their British Indian subjects residing in Trucial Arabian territories. As India was restabilised, the status of British Indian subjects abroad became even more prescient. With a renewed focus on Indian affairs in the metropole, the involvement of their Indian merchants in the East African slave trade was a potential source of national embarrassment. Here, pre-existing efforts to expand British extraterritorial jurisdiction would combine with the wider consequences of a reformulation of their Indian policy and their broadening campaign to suppress the Trucial slave trade.

6.2 - Native Agents and British Subjects, India's Mercantile Community in Trucial Arabia c.

1822-1845

During the nineteenth century, merchants were often influential members of Trucial Arabian society. A significant portion of rulers' revenues came from customs duties, pearl boat taxes, rents, loans and financial gifts under their control. In Muscat, the Bhimani house of Kachchhi Sindhi Khojas secured

⁵⁷⁶ Barbara Jane Messamore, *1847-1878, Canada's Governors General: Biography and Constitutional Evolution* (Toronto: University of Toronto Press, 2006), p. 36.

the post of customs collectors as a consequence of their relationship with Said.⁵⁷⁷ Politically, this relationship was one of counterbalance; economically, it was one of interdependence.⁵⁷⁸ The economic control pearl merchants held over the employment and indebtedness of the local population gave them further influence, disagreements could trigger their migration along with the pearl divers in their employ.⁵⁷⁹ As Jill Crystal highlights, this resulted in a political structure of 'a ruling Shaikh, whose pre-eminence was... constrained by the merchant elite, tied to the economy of pearling and trade.'⁵⁸⁰

This was a relationship Britain was keen to exploit. The secret to the Residency's efficiency was the extent to which they could work within existing indigenous political structures.⁵⁸¹ The establishment of bridgeheads, which connected trajectories within the imperial network with local agents and power brokers, was key to territorial expansion.⁵⁸² In 1822, PRPG John MacLeod noted he believed it would 'be very desirable to have a native agent' and he endeavoured to 'procure a person for the purpose.'⁵⁸³ His recommendations were carried into effect by PRPG Ephraim Gerrish Stannus who reorganised and expanded the agency network. By 1825, native agents were stationed at Bahrain, Muscat, Shiraz, Mughu and Sharjah.⁵⁸⁴ Bombay triumphantly reported to London that the PRPG 'succeeded in placing his Agents at almost all the Ports where they appeared to be required and they must at all times prove useful auxiliaries in observing and controlling the seeds of dissension in the Gulph.'⁵⁸⁵

⁵⁷⁷ Chhaya Goswami, *The Call of the Sea: Kachchhi Traders in Muscat and Zanzibar, c. 1800-1880* (Greater Boida: Orient BlackSwan, 2011), pp. 95-96.

⁵⁷⁸ Jill Crystal, *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar* (New York: Cambridge University Press, 1990), p. 57.

⁵⁷⁹ Onley and Khalaf, 'Shaikhly Authority', p. 197.

⁵⁸⁰ Crystal, *Oil and Politics in the Gulf*, p. 57 and Onley and Khalaf, 'Shaikhly Authority', p. 197.

⁵⁸¹ Onley, 'Britain's Native Agents', p. 129.

⁵⁸² John Darwin, *The Empire Project: The Rise and Fall of the British World System, 1830-1970* (Cambridge: Cambridge University Press, 2009), p. 3.

⁵⁸³ BL, IOR/R/15/1/30, Letter No. 8 of 1823, 27 February 1823.

⁵⁸⁴ Additional native agencies were established at Lingah, Kermanshah, Basidu, Gwadar and Kuwait. See Onley, *The Arabian Frontier of the British Raj*, Appendix A9, p. 237.

⁵⁸⁵ Cited in *Ibid*, p. 93.

Britain's decision to employ native agents may be understood through Ronald Robinson's theory of indigenous collaboration.⁵⁸⁶ Robinson utilises the term collaboration in a strictly neutral sense, meaning 'working jointly together' rather than as a value judgement. His theory of indigenous collaboration argues that imperial institutions were expensive affairs and difficult for imperial powers to implement outside the metropole. If their interests were to be maintained, the costs had to be either reduced or passed on, as they had been through the compensation of the Company for the loss of their commercial privileges from Indian revenues. As resources were limited, MacLeod was informed that he ought to adopt any plans for intelligence gathering immediately in the Gulf, but only 'if not attended with much expense.'⁵⁸⁷ PRPGs were limited in terms of manpower after the withdrawal from Qishm, which meant that indigenous information networks were therefore crucial to the maintenance of British paramountcy.

Robinson's theory is not without its limitations. It fails to identify and define collaborators within their societies, instead focusing primarily on Britain's motivations for their employment.⁵⁸⁸ It also overlooked the many ways in which pre-existing indigenous collaborations were reciprocal. In Trucial Arabia, this involved advantages and disadvantages for both parties, much like the Maritime Truces. Agents were not passive victims of a cost-cutting exercise, but active participants who seized the opportunity to develop relationships with the British authorities to navigate imperial structures to secure their interests. The most significant advantage was the added layer of protection afforded to them as officially appointed British agents. Before their arrival, merchants could potentially be ruined if they upset local authorities. Their property was also liable to confiscation. Even if they retained their status, they could easily fall victim to piracy or robbery – they were prominent victims of the Qawasim.⁵⁸⁹

⁵⁸⁶ Onley, 'Britain's Native Agents', p. 130.

⁵⁸⁷ BL, IOR/R/15/1/28, Letter No. 1584 of 1822, 12 November 1822.

⁵⁸⁸ John McCracken, 'Authority and legitimacy in Malawi: policing and politics in a colonial state', in *Policing and Decolonisation: Politics, Nationalism and the Police, 1917-65*, ed. by David M. Anderson and David Killingray (New York: Manchester University Press, 1992), pp. 158-86 (p. 158).

⁵⁸⁹ Onley, 'Britain's Native Agents', pp. 131-32. See also Davies, *Blood-Red Arab Flag*, pp. 297-314.

Merchants depended on the goodwill of local rulers. Protection was extended in return for their financial support, creating a mutually beneficial relationship. Working with Britain, however, was neither a permanent nor guaranteed solution to these problems. In January 1834, dissident members of the Al Khalifah in Bahrain began to extort money from the merchant community. Lieutenant Whitelock reported they 'do as they please, extorting money from all they can... It is of no use to complain, for the Sheikh only tells them to keep out of his followers and sons' way. In consequence of this misrule, few money men will remain...'⁵⁹⁰ Khushal, the acting Agent in the absence of his brother Chandu, found himself threatened, assaulted and robbed, which forced him to go into hiding. PRPG David Blane dispatched a vessel to rescue him, but when he emerged, he was assaulted and robbed again. Eventually, it was determined that in Bahrain, there was too strong a feeling against 'Hindoos and Jews,' as a compromise, the British agreed to employ a Muslim instead. Despite deploying ships to procure Khushal's release, he and his brother were promptly replaced.⁵⁹¹

Their intimate role within the local commercial system meant they were also inevitably involved in the slave trade. A fundamental component in Hamerton's negotiations with Said was a request for a proclamation forbidding his subjects from buying or selling slaves to Britain Indians. Said noted that whilst in the English version of the Moresby Treaty it was incumbent upon the Omanis to assist in the apprehension of 'English subjects engaged in the slave trade,' no such provision existed in the Arabic. Nevertheless, he considered it 'incumbent on us... that we should assist.'⁵⁹² The Moresby Treaty prohibited the sale of slaves to 'Christians,' but it had not precluded any explicit provision against Indian merchants. Those who attempted to transport slaves to the subcontinent for resale were liable to search and seizure beyond the Moresby line. Given their intimate involvement in trade, there were no provisions preventing them from transporting slaves within the legally sanctioned internal space.

⁵⁹⁰ Lt. H.H. Whitelock, *An Account of Arabs who inhabited the coast between Ras al Khaimah and Abo Thabee in the Gulf of Persia, generally called the Pirate Coast* (Bombay: Bombay Geographical Society, 1835), p. 51.

⁵⁹¹ Onley, *The Arabian Frontier of the British Raj*, pp.140-42.

⁵⁹² Aitchison, *A Collection of Treaties, Engagements and Sunnuds*, p. 216.

Although the Hamerton Treaty greatly reduced the limits of this legal traffic to Said's immediate possessions around Zanzibar, local Indian merchants classified as Omani subjects were still involved. The question of who was classified as an Omani or British subject was contentious, complicated by the shifting boundaries of British jurisdiction in India. As Hamerton attempted to prevent British Indians from buying or selling slaves, the question of which groups of Indians were Omani or British subjects became hotly contested. Given their importance to Said, Hamerton's demands and attempts to interfere were a source of annoyance. Said wrote to Aberdeen that he was 'constantly perplexed by the petty annoyances of your consul...and from the Jew agent Reuben at Muscat' and they were the only servants of Britain he had ever needed to complain about.⁵⁹³

Frustrated by the uncertainty, Said asked Aberdeen for clarification on whether those born in Omani territory or were resident there with local wives and children were to be regarded as Omani or British subjects. Aberdeen reassured him that only those residing in territories directly under the British Crown would be entitled to their consular protection, but this only added further complication. By adding the stipulation that the definition only applied to those residing in territories under the British Crown, Aberdeen was tying the status of Indian communities in Trucial Arabia to British territorial expansion in the subcontinent.⁵⁹⁴ The 1819 Treaty of Alliance between the Rao of Kutch and the Company had not subordinated his territories under the Crown, which was in stark contrast to the British takeover of Sind in 1840. This meant Sindis could no longer be regarded as Omani subjects, whilst their Kutchi rivals were free to continue exploiting slave labour.

Given Said's misgivings, a backlash was inevitable. His customs master Jeyram Sivji had managed to induce 'native traders [in Zanzibar]... being British subjects to sign a paper or written agreement, stating that they considered themselves to be citizens [of Zanzibar]... and that they were no longer under the Government of England.' Hamerton believed it was 'contrary to the general spirit and

⁵⁹³ Cited in Christine Stephanie Nicholls, *The Swahili Coast: Politics, Diplomacy and Trade on the East African Littoral, 1798-1856* (New York: Africana Publishing Corps, 1971), p. 178.

⁵⁹⁴ Bhacker, *Trade and Empire in Muscat and Zanzibar*, p. 166.

intention of the treaty' to deprive those who had signed the paper of British protection in their hour of need.⁵⁹⁵ This arbitrary distinction presented opportunities for the exploitation of questions surrounding an individual's status. The American Consul, Charles Ward, noted that the 'Banyans & Hindoos' would 'claim to be Arab subjects or English subjects' as best suited them. Individuals would go to Said 'today with his complaint' and tomorrow the 'same individual will go to the British Consulate and claim protection as an English subject.'⁵⁹⁶ This highlights the complexities that interrelations within the imperial network could still have on spaces outside their immediate orbit. Despite an outward commitment toward the suppression of the slave trade, Hamerton accomplished very little. Although he succeeded in creating a legal apparatus to punish the transport of slaves beyond East Africa, the Hamerton Treaty had achieved meagre results. In the 1810s, only 8,000 slaves were imported into Zanzibar, mainly from Kilwa, growing to around 13,000 between 1830-1840. This peaked between the 1860s-1873 at roughly 15,000-20,000.⁵⁹⁷ As Janet Ewald observed, in 'no other part of Africa, and at no other time, did slavery and the slave trade expand as rapidly as in nineteenth-century East Africa.'⁵⁹⁸ Despite his attempts to explore the precise definition of British subjects, Hamerton also failed to curb their involvement in the slave trade. Ward estimated that Indian merchants' interest in the traffic had grown from 10,000 slaves owned in 1840 to around 20,000 by 1850.

Hamerton appeared more interested in bringing them under his jurisdiction for imperial expansion than in monitoring their collusion with Arab slave traders.⁵⁹⁹ When Ward approached Hamerton to ascertain why he continued to allow Indians to engage in the traffic, he warned it was best to avoid

⁵⁹⁵ Cited in Tanganyika Society, *Tanganyika Notes and Records*, 256-61 (Dar es Salaam: Tangayika Society, 1961), p. 124.

⁵⁹⁶ Cited in Suzuki, *Slave Trade Profiteers in the Western Indian Ocean*, p. 148.

⁵⁹⁷ Jan-Georg Deutsch, *Emancipation Without Abolition in German East Africa, C.1884-1914* (New York: Oxford University Press, 2006), p. 34.

⁵⁹⁸ Janet Ewald, 'Africa: East Africa', in *A Historical Guide to World Slavery*, ed. by Seymour Drescher and Stanley L. Engerman (New York: Oxford University Press, 1998), pp. 41-46 (p. 41).

⁵⁹⁹ Nwulia, *Britain and Slavery in East Africa*, p. 66.

'agitating' the slave question, as the 'natives' did not understand it.⁶⁰⁰ Despite these reservations, Hamerton's interventions inadvertently disrupted a precarious balance of power to expand British paramountcy. Trucial rulers were increasingly expected to simultaneously impose measures on their subjects they knew were unpopular, while their ability to do so was eroded. Their reliance on the mercantile community operated on a system of mutually beneficial reliance. With the establishment of alternate avenues of protection, their leverage was significantly reduced.

Not only could merchants utilise the opportunities presented by the native agent system, but they could also utilise their mixed status. Merchants could choose which protector they appealed to on a case-by-case basis, providing them with a degree of flexibility that seriously undermined local authority, whilst also allowing them to circumvent British legal provisions against slave trafficking. Despite their commitment to non-intervention, the utilisation of native agents revealed double standards in British policy. While they officially refrained from internal interference, the employment of native agents directly affected crucial members of the local administration. Britain was far more intimately involved in the fabric of Trucial politics than they cared to admit. The development of the native agency system and attempts to re-clarify the status of British subjects fundamentally threatened the established political and social fabric of the region.

This was undoubtedly beneficial to Bushire. It provided the Residency with a cost-effective informal network of influence over Trucial Arabia, without officially abandoning their policy of non-intervention. However, this was not without its drawbacks. Although they secured a degree of influence and constructed an indigenous intelligence at minimal expense, they were also now intimately connected to key players in the Trucial slave trade. Hamerton's attempts to distinguish between Omani and British subjects had also presented another unintended space of resistance which Indian merchants navigated for their benefit. Britain's desire to expand its extraterritorial

⁶⁰⁰ Ibid, pp. 66-67.

jurisdiction would continue to present opportunities and barriers as Hamerton's replacement assumed the Consulship in the aftermath of the Indian Crisis in 1858.

6.3 – The Rigby Emancipation and Legal Imperialism

Although Palmerston personally requested Hamerton explore further measures to curb the slave trade, he failed to suppress any meaningful resistance. Instead, he perpetuated the cautious pragmatism that had largely guided British policymakers in the period preceding the India Crisis.⁶⁰¹ Hamerton's belief that Said had won the 'contempt and hatred of all his people, even to the members of his own family' may have persuaded him to avoid interfering any further.⁶⁰² Any relief which may have been felt by Hamerton's relative inaction in Zanzibar rapidly dissipated upon Christopher Palmer Rigby's arrival. He was determined to strike at the complicity of British subjects in the slave trade. In 1868, Admiral Leopold G. Heath recognised that to 'put down this trade requires far more effort and far more energy than England has yet shown in the matter.'⁶⁰³ Although his daughter's assessment that Rigby 'should be remembered as the first and greatest enemy of the East African slave trade' ought to be approached with scepticism, he was far more energetic than his predecessor.⁶⁰⁴

In response to his initial observations, Rigby was provided with five ships from the Cape Squadron throughout his tenure, initiating the first active hunting of slavers off the coast in decades. He noted that the HMS *Lyra* and *Sidon* had captured 25 dhows for the season in 1861 and requested their return twice a year to help put an end to the traffic.⁶⁰⁵ Although he was aware of their involvement,

⁶⁰¹ Essex Institute, *Essex Institute Historical Collections*, 97 (Salem: Essex Institute, 1961), p. 36.

⁶⁰² Cited in Bennett, *Arab versus European*, p. 22.

⁶⁰³ *The Westminster Review: January and April 1875* (London: Trubner, 1875), 47, p. 296.

⁶⁰⁴ Lillian M. Rigby Russell, *General Rigby, Zanzibar, and the Slave Trade, with Journals, Dispatches* (London: Allen & Unwin, 2008) p. 17.

⁶⁰⁵ Hopper, *Slaves of One Master*, pp. 37-38.

it was not until February 1859 when a British Indian resident was arrested for purchasing a slave girl he had manumitted that he took notice.⁶⁰⁶ More alarmingly, when his secretary Mirza Hajee Khaleel died of cholera, he 'discovered a slave-boy, recently imported, whom he had purchased for twelve dollars.' These events demonstrated 'how deeply slavery is rooted among the people... in spite of my daily warnings that the severest punishment awaited any British subject found to be dealing in or holding slaves.'⁶⁰⁷ The discovery stung Rigby, who immediately began targeting slave ownership and trafficking among British Indian subjects.

Rigby's pursuit of a solution was made possible through the establishment of British consular jurisdiction under the Treaty of Commerce (1839). In exchange for mutual trading privileges and expanded property rights, Said transferred jurisdiction over British subjects to the Consulate. While the transfer of property from deceased or bankrupt British subjects to the Consul under Articles VI and VII was a significant boost to Consular finances, Article V extended extraterritorial jurisdiction over them. It stipulated that the Sultan would not 'interfere in disputes between British subjects or between British subjects and the subjects or citizens of other Christian nations.' Whilst any complaints against Omani subjects were under the jurisdiction of local authorities, those made against British subjects were to be adjudicated by the Consul, Resident or Agent. In either situation, any case involving a British subject could not proceed 'except in the presence of the British Consul or Resident Agent, or of some person deputed by one or other of them.'⁶⁰⁸ As Turan Kayaoğlu notes, extraterritoriality represented 'quintessential legal imperialism' as it extended British legal jurisdiction 'into non-Western territories and limited non-Western legal authority over Western foreigners and their commercial interest.'⁶⁰⁹

⁶⁰⁶ Shizuo Katakura, 'Introduction of British consular jurisdiction to Zanzibar: Indian merchants in a judicial transition', *Sex, Power, and Slavery*, ed. by Radhika Seshan and Shraddha Kumbhojkar (Ohio: Ohio University Press, 2014) pp. 134-44.

⁶⁰⁷ Cited in Russell, *General Rigby*, p. 79.

⁶⁰⁸ See Appendix - The Treaty of Commerce, 31st May 1839.

⁶⁰⁹ Kayaoğlu, *Legal Imperialism*, p. 6.

Extraterritorial courts were the organs of Western legal expansion, forming a crucial component of the standard of civilisation against which non-European nations were measured. A minimum requirement was that wherever Europeans came into contact with non-Western culture, there existed a government 'under the protection of which [they] may carry on the complex life to which they have been accustomed in their homes.'⁶¹⁰ The Treaty of Commerce is a perfect example, as it extended Consular and Residency authority over British subjects and limited Oman's ability to impose judgement over them in the absence of a British representative. It emerged during a period when the boundaries of British extraterritorial jurisdiction were challenged, as London sought to curb the autonomy of its subjects within foreign territories. This was a process that had begun with the Regulating Act (1773) when the metropole sought to limit the autonomy of merchant companies who had themselves largely self-adjudicated within their local political structures.

Under the Ottoman *millet* system, for example, the Levant Company was able to establish itself as an autonomous self-regulating community under a self-appointed Consul.⁶¹¹ The privileges enjoyed by these companies within foreign territories provided a framework through which British authorities could extend extraterritorial jurisdiction over their subjects by drawing them into the larger imperial network. The India Act (1874) and Charter Acts (1813 and 1833) significantly increased parliamentary oversight of E.I.C. affairs, but it was the collapse of the Levant Company that captured British jurists' attention. James Hope-Scott argued that British subjects were required to acquiesce to local jurisdiction in Christian states. In non-Christian states, he argued that because of their contradictory views on morality and justice, the government had a right to establish courts.⁶¹²

⁶¹⁰ John Westlake, *Chapters on the Principles of International Law* (Cambridge: Cambridge University Press, 1894), p. 141

⁶¹¹ Karen Barkey, 'Aspects of Legal Pluralism in the Ottoman Empire', in *Legal Pluralism and Empires, 1500-1850*, ed. by Lauren Benton and Richard J. Ross (New York: New York University Press, 2013), 83-108 (p. 92).

⁶¹² See James Hope-Scott, 'Report on British jurisdiction in Foreign States' in *Select Documents on the Constitutional History of the British Empire and Commonwealth*, ed. by Frederick Madden and David Fieldhouse (London: Greenwood Press, 1991), pp. 5-12.

The Foreign Jurisdiction Act (1843) was passed to provide a legal basis for the expansion of consular jurisdiction. It established the legal basis of extraterritoriality, declaring that 'by treaty, capitulation, grant, usage, sufferance, and other lawful means, Her Majesty... had jurisdiction within diverse foreign countries.'⁶¹³ According to John Spagnolo, this extension formed the basis of a broad drive toward the formal assumption of empire creating a shift from a pragmatic imperial presence to a prescriptive imperialist intrusion.⁶¹⁴ As Kayaoğlu notes, after 1843 each step of British imperialism 'came with an Order in Council decision, which was secured, justified, and legalised within a series of Foreign Jurisdictional Acts.'⁶¹⁵ C.R. Pennell, however, argues that the Spagnolo thesis, which argues that the Act constituted the basis of a legal campaign 'driven ideologically by imperialism abroad and legalist rigour at home, is mistaken.' The mistake does not lie in the eventual consequences, but rather in the intention behind it. He concludes that it was not part of a deliberate plan to expand British hegemony, but rather a late stage of a 'long campaign to control those who were already British subjects... a pragmatic response to administrative and judicial chaos.'⁶¹⁶

This rationale more accurately reflects Britain's efforts to extend its jurisdiction in Oman and Zanzibar. Although the Slave Trade Act (1824) already prevented British subjects from slave trafficking and the Slavery Abolition Act (1833) abolished their right to purchase or own slaves, whether officials could prosecute offenders officially residing in Zanzibar or Trucial Arabia was less clear. Company regulations established a principle that subjects could be punished whether they were apprehended 'within or without the frontier.'⁶¹⁷ Act I of 1849 declared that British Indian courts acquired jurisdiction when offenders were apprehended in British India or when they were delivered into their custody from external territories. It was during Rigby's tenure that these extraterritorial privileges were enshrined in the Indian Penal Code (1856). The Code allowed the

⁶¹³ Ibid, pp. 13-15.

⁶¹⁴ John P. Spagnolo, 'Portents of Empire in Britain's Ottoman Extraterritorial Jurisdiction', *Middle Eastern Studies*, 27:2 (1991), 256-82 (pp. 257-58).

⁶¹⁵ Kayaoğlu, *Legal Imperialism*, pp. 44-45.

⁶¹⁶ C.R. Pennell, 'The origins of the Foreign Jurisdiction Act and the extension of British sovereignty', *Historical Research*, 83:221 (2010), 465-85 (pp. 466-467).

⁶¹⁷ Sir Arthur Morgan, *The Indian Penal Code (Act XLV of 1860)* (Calcutta: G.C.Hay, 1863), p. 7.

Governor-General to 'make laws and regulations for all persons, whether British or native... for all places and things whatsoever, within and throughout the whole and every part of the said (British) territories.'⁶¹⁸

Crucially, the Governor-General's legislative power was extended through Section 3. This stated that any person liable 'to be tried for an offence committed beyond the limit of said territories' ought to be dealt with according to the Penal Code 'in the same manner as if such act had been committed with the said Territories.'⁶¹⁹ According to Walter Morgan, these provisions were required, as many offences 'may be committed beyond the limits of the British Territories, by persons subject to our laws' and it was necessary 'to provide for their punishment.'⁶²⁰ Although the Penal Code was not passed into law until October 1860 (to go into effect on 1st January 1862), these precedents may have informed Rigby's decision. On 10th February 1860, Rigby issued a notice which ordered Indian residents to bring all their slaves to the Qadi, where they were to be presented with manumission certificates. All those who engaged in slave dealing after this amnesty were to be fined and sent to Bombay for prosecution.⁶²¹ This threat of extradition was reflective of the existing provision for the prosecution of British Indian subjects under the Company Regulations and Act I of 1849 who were apprehended outside India.

Having supported Majid's ascent during the Omani succession crisis, Rigby also requested that he warned all his subjects against trading in slaves with British subjects. The precise number of manumissions under the Rigby Emancipation is difficult to establish with certainty. On 1st May 1860, he reported he had 'redeemed' 3,562 slaves from British subjects and trusted 'that this will prevent any British subjects from purchasing slaves, or aiding this detestable traffic in the Zanzibar

⁶¹⁸ William Plumbridge Williams, *The Acts of the Legislative Council of India relating to the Madras Presidency* (Madras: Church of Scotland Mission Press, 1856), p. 278.

⁶¹⁹ Ibid.

⁶²⁰ Morgan, *The Indian Penal Code*, p. 6.

⁶²¹ Hideaki Suzuki, 'Enslaved Population and Indian Owners Along the East African Coast: Exploring the Rigby Manumission List, 1860-1861', *History in Africa*, 39 (2012), 209-39 (p. 213).

dominions in future.⁶²² In a letter to the Secretary to the Foreign Minister, he claimed to have freed a further 5,959 whilst he later boasted proudly of having released 8,000 from their bondage.⁶²³ The last entry on the Rigby manumission list was serial number 5,221, three days before Rigby's departure. As the numbers of manumission also likely included captures by the Royal Navy, his highest estimate of 8,000 probably included more slaves than he manumitted.⁶²⁴

Eventually, ill health forced Rigby to depart from his office. Locals regarded his departure as the 'termination of a great catastrophe.'⁶²⁵ Yet, Rigby's actions demonstrated what could be achieved if more forceful action were taken. If more resources had been made available to him, it is likely he could have accomplished far more. The Rigby Emancipation had not cost the British a single penny, but the impact was both limited and self-contained by the nature of its targets.⁶²⁶ Neither was it held in high regard by his contemporaries either.⁶²⁷ Upon his departure, his more direct approach was almost immediately abandoned, and the Indians resumed their slaveholding.⁶²⁸ Yet, despite the short-term impact of his manumission campaign, Rigby's actions would have a greater influence on the long-term trajectory of British policy. Six years after the Rigby Emancipation, an Order in Council on 9th August 1866 related to Consular jurisdiction in Zanzibar was enacted, followed by an identical Order relating to Muscat on 4th November 1867.⁶²⁹

The Orders extended Consular jurisdiction beyond the boundaries established by the Treaty of Commerce and provided the Consul with legislative jurisdiction to intervene in criminal cases with the Sultan's express permission. Article 16 declared that if a British subject was accused of various

⁶²² *Commercial Reports received at the Foreign Office from Her Majesty's Consuls*, (London: Harrison, 1862), p. 242.

⁶²³ Elizabeth McMahon, *Slavery and Emancipation in Islamic East Africa: From Honor to Respectability* (New York: Cambridge University Press, 2013), p. 46 and Suzuki, 'Enslaved Population and Indian Owners Along the East African Coast', p. 214.

⁶²⁴ *Ibid.*

⁶²⁵ Bhacker, *Trade and Empire in Muscat and Zanzibar*, p. 190.

⁶²⁶ Nwulia, *Britain and Slavery in East Africa*, p. 67.

⁶²⁷ Suzuki, 'Enslaved Population and Indian Owners Along the East African Coast', pp. 214-15.

⁶²⁸ Beachey, *The Slave Trade of Eastern Africa*, p. 56.

⁶²⁹ *The Indian Law Reports: Bombay Series* (Calcutta: Thacker, 1879), 3, pp. 58-71

serious crimes, such as 'house-breaking...any assault endangering life, or of wilfully causing any bodily injury dangerous to life', they would be placed under the jurisdiction of the Consul.⁶³⁰ More importantly, 'engaging in or being accessory to the purchase or sale of slaves or of having slaves illegally in his possession' was a crime liable to fall under the same provision. Any British Indian subject found to have engaged in either act may be placed upon 'any British vessel bound to Bombay' to be placed under the custody of authorities in India. Article 23 effectively extended Section 3 of the Penal Code to Zanzibar and Muscat, allowing the accused to return to Bombay for prosecution.

As any attempt to establish imperial authority was difficult, the trend in British policy was to adapt to local variations and leave decisions to the discretion of its men on the spot.⁶³¹ Rigby and Hamerton's contrasting approaches demonstrated how British policy could be influenced by who occupied the position. The legacy of Rigby's efforts provided a precedent for the termination of British Indian involvement in the slave trade. Yet, it also highlighted how precarious individuals could be. Just as Rigby largely departed from Hamerton's cautious approach, his successors also initially distanced themselves from his more direct interventions. Although his efforts would eventually prove influential, there was no guarantee of their lasting impact. Men on the spot were often given discretionary powers to respond to local crises, due to the comparative geographic isolation from their superiors.

Although they were always vulnerable to punitive rebukes, agents like the PRPG and CIZ could pursue personal projects so long as they did not significantly contravene their remits. This was especially true if they could rely on the support of officials within the imperial hierarchy in positions above them. Rigby's successor Lewis Pelly would enjoy the protection and support of Bartle Frere after his transfer to the Bushire Residency. However, these connections also meant they were

⁶³⁰ Edward Hertslet, *A Complete Collection of the Treaties and Convention and Reciprocal Regulations at Present Subsisting between Great Britain and Foreign Powers* (London: Butterworths, 1877), 13, p. 58.

⁶³¹ John Darwin, *Unlocking the World: Port Cities and Globalization in the Age of Steam 1830-1930* (Milton Keynes: Penguin Random House UK, 2020), pp. 191-92.

vulnerable to becoming embroiled in disputes between their superiors. As Pelly assumed his position in Bushire, the extent to which British Indian subjects were entitled to protection intersected with emerging disputes between proponents of 'masterly inactivity' and 'new imperialism.' The politics of this extraterritorial legal space would now be shaped not only by interrelations between Trucial Arabia, London and India but also by internal tensions between Bombay and Calcutta.

6.4 – Extraterritoriality, Non-Intervention and the Protection of British Subjects

While the Treaty of Commerce and India Penal Code extended extraterritorial jurisdiction over British Indian subjects, what authorities intended to do remained up for debate. British officials were still instructed to avoid interference, but their obligations towards British subjects had just expanded. However, the extent to which British authorities were willing to risk British paramountcy to protect their subjects abroad was complicated. In Europe, the Don Pacifico affair (1850) thrust this question into the public sphere. Spencer Walpole alleged that the Greeks, who were 'deprived of the privilege of burning the image of a dead Jew, determined to avenge themselves by an attack on a living one,' had broken into David Pacifico's house, 'beat his wife and children, smashed his furniture, tore his papers to pieces, and robbed him of his money and jewels.'⁶³²

Palmerston ordered a blockade and the seizure of Greek shipping, for which he was rebuked in the Lords, but absolved in the Commons. He challenged the initial verdict in a five-hour speech, declaring that it was through a sense of duty that he believed they were 'bound to afford protection to our fellow subject abroad.' He questioned whether 'as the Roman, in days of old, held himself free from indignity, when he could say *Civis Romanus sum* (I am a Roman citizen); so also a British subject, in whatever land he may be, shall feel confident that the watchful eye and the strong arm of

⁶³² Spencer Walpole, *A History of England*, 5 (London: Longmans, 1890), p. 411

England, will protect him against injustice and wrong.⁶³³ Similar debates over the rights of British subjects in foreign territories would be diffused through the imperial network. After the dissolution of the Company, it was inevitable that tensions between Liberal and Conservative foreign policy would permeate imperial politics.

Whilst the Treaty of Commerce was the first official recognition of extraterritorial jurisdiction over British subjects, it was not the first time the protection of British subjects in Trucial Arabia was broached. Petitions requesting protection and the captivity accounts of lascars who fell victim to the Qawasim were significant components in the discourse that informed Bombay's decision to attack Ras al-Khaimah. Securing the release of Indian prisoners formed the preliminary negotiations in the wake of the assault. Sultan bin Saqr was required to 'give up all Indian prisoners if any such are in his possession.'⁶³⁴ Non-British employees, such as the Native Agents, were known as 'British protected-persons' and were entitled to the protection and good offices of British civil and military officers. If an injustice afflicted the agent or his family, British was obliged to intervene on their behalf.⁶³⁵

The extent to which they were willing to extend this protection to British subjects outside of their direct employment was debatable. In May 1864, Indian merchants from Bahrain complained to PRPG Lewis Pelly that Sheikh Muhammad bin Khalifa had mistreated them. While he reprimanded Muhammad, he noted that 'it seemed proper also to explain to our British Indian subjects the nature and extent of their claims, on the British Government.' While acts of 'open tyranny or in breach of Treaty' would be notified on their behalf, he argued that 'their money in squabbles with the Sheikh are in my opinion of very doubtful interest to Government.'⁶³⁶ Bombay approved, informing Pelly that 'it cannot be too strongly impressed on the Bunnyas at Bahrain that Government has no

⁶³³ Cited in *Spectator: A Weekly Journal of News, Politics, Literature, and Science* (London: Joseph Clayton, 1850), 23, p. 606.

⁶³⁴ Aitchison, *A Collection of Treaties, Engagements, and Sunnuds*, pp. 242-43.

⁶³⁵ Onley, *The Arabian Frontier of the British Raj*, p. 100.

⁶³⁶ London, BL, India Office Records and Private Papers, IOR/R/15/1/183, fol. 118, Letter No. 27 of 1864 from Lewis Pelly to Charles Gonne, 5 May 1864
<https://www.qdl.qa/en/archive/81055/vdc_100023702596.0x000032>.

intention of interfering in their favour, and that this intention will be rigidly adhered to.⁶³⁷

Bombay's response reinforced its commitment to non-intervention. While they possessed a legal basis for the establishment of an Agency Court, it took until 1901 and 1913 respectively for the British Agent to be invested with the power of a magistrate and for a court to be formally established.⁶³⁸

An incident involving the theft of merchandise from a vessel travelling from Bombay under a Turkish flag only reinforced this position, but a much sterner test of British resolve was brewing in Oman.⁶³⁹ Thuwaini already faced significant challenges to his authority from his brother Turki and the head of the al-Qais cadet branch, Qais bin Azzan. He managed to navigate both affairs with a degree of success. Turki had been imprisoned and Qais was killed. Yet, as he marched towards Rustaq, Qais' successor Azzan bin Qais requested the aid of the Wahhabis, who threatened the former if he refused to desist.⁶⁴⁰ Pelly offered to mediate, but any question of a peaceful settlement was shattered when the Wahhabis and their Bani Bu Ali allies attacked Sur. As we may recall, the Bani Bu Ali had already caused significant embarrassment to British authorities and they had refused to throw off their earlier conversion to Wahhabism.⁶⁴¹

To complicate matters further, a significant part of the losses were owned by British Indian subjects, who estimated their losses at \$27,000. More alarmingly, one of them had been killed.⁶⁴² This ensured that a response from Bushire was inevitable. Unable to drive off the Wahhabis by force, Thuwaini reluctantly reverted to a tried and tested method and bought them off. Pelly did not consider the matter settled and was determined to punish the infractions against British subjects. Remonstrances had been addressed to Faisal by the Muscat Agent Colonel Disbrowe, who promptly

⁶³⁷ Ibid.

⁶³⁸ Onley, *The Arabian Frontier of the British Raj* p. 121.

⁶³⁹ London, BL, India Office Records and Private Papers, IOR/R/15/1/183, fols 123-24, Letter No. 57 of 1864 from Lewis Pelly to H.L. Anderson <https://www.qdl.qa/en/archive/81055/vdc_100023702596.0x00003c>.

⁶⁴⁰ Kelly, 'A Prevalence of Furies', p. 112.

⁶⁴¹ See Chapter 3.1.

⁶⁴² Ibn Raziq, *History of the Imams and Seyyids of Oman*, p. ciii.

informed Pelly that British subjects held prisoner had been released and their possessions returned. The precise identity of the man on the spot heavily influenced responses to crises and Pelly deemed the response insufficient. He dispatched a vessel to demand satisfaction, a matter which was expedited further by an attack on the Batinah coast where another contingent of British Indians was driven into the sea, one of whom drowned.

When the *Highflyer* arrived off the Al-Hasa coast at Qatif, Captain Pasley presented Faisal with an ultimatum: 'Your Highness has invaded the territories of Muscat, an independent state, in alliance with the British Government... I addressed a polite letter to you on this subject, your Highness did not acknowledge the letter, on the contrary your troops have since butchered one British Indian subject, and plundered ten others of all they possessed.' A full written apology 'for the wanton outrages on the part of your dependents' was demanded, along with a sum of \$27,700 and a written assurance that no further attacks would take place in the future.⁶⁴³ Faisal's death, which was not known at the time, meant no response was forthcoming, resulting in an abortive assault on the port of Dammam.⁶⁴⁴ Pelly's efforts at Sur proved more impactful, but despite this success, Pelly received orders not to demand any compensation from the new Amir, Abdullah, as Calcutta wished to seek a peaceful settlement to maintain their neutrality.

Dismayed by what he perceived as a lack of support, he engaged the services of his close friend, GIB Bartle Frere. British officials who cultivated the right connections could ensure their grievances were vigorously pursued. Pelly's friendship with Frere assured his case was strongly argued in India.⁶⁴⁵ He informed Viceroy John Lawrence that Pelly was 'very sore at your criticism on his proceedings' and he 'repeatedly, within the last two years, risked his own life in the discharge of his duty.'⁶⁴⁶ Frere

⁶⁴³ Jerome Antony Saldanha, *Précis of Nejd Affairs, 1804-1904* (Simla: Government of India Foreign Department, 1904), pp. 25-26.

⁶⁴⁴ Kelly, *Britain and the Persian Gulf*, p. 503.

⁶⁴⁵ Darwin, *Unfinished Empire*, p. 194.

⁶⁴⁶ London, BL, India Office Records and Private Papers, IOR/L/PS/18/B2/3, p. 16, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868 <https://www.qdl.qa/en/archive/81055/vdc_100030782395.0x000004>.

conceded that if subjects elected to reside in Oman, they must 'take their chance of such uncertainty of life, liberty, and property as is the natural and usual characteristic of such Governments, and the hereditary misfortune of all their subjects.' However, he believed Thuwaini was not at fault, it had been the 'outrages of a third power' which afflicted their subjects. They could not be justified in 'standing aloof, and saying to our subjects' that they had gone 'there for gain and we cannot undertake to protect you.'⁶⁴⁷

Lawrence was not convinced, although he conceded Indians were 'maltreated and plundered at times', their protection should be limited in extent and dependent upon the circumstances. He believed it was imprudent to go to war to redress their injuries.⁶⁴⁸ This division was indicative of ongoing arguments in India. Although Reginald Bosworth Smith among others claimed Governor-General John Lawrence 'was no party man' and 'in those days India was happily almost outside the range of English party conflicts,' they were not immune from internal schisms over foreign policy, which coalesced along similar lines.⁶⁴⁹ Frere's arrival signalled a new era and the beginning of more contentious disagreements over the extent of British involvement in internal Trucial affairs. The GIB was at the forefront of 'new imperialism,' with a clear vision of what the PRPG's role ought to entail.

Frere fundamentally disagreed with their restricted role as maritime peacekeepers, instead advocating for an expansion of their advisory capacity to include domestic affairs. Although the PRPG should operate under the principle outlined by his superiors, he argued they should be 'left to determine the details of policy execution.'⁶⁵⁰ Frere's vision was rooted in the Liberal traditions which had guided Palmerston, believing that the empire should be a vehicle for spreading British civilisation and moral principles. This was framed around a paternalistic concept of indirect rule, which maintained their existing informal relationships under closer British supervision to install

⁶⁴⁷ BL, IOR/L/PS/18/B2/3, pp. 12-13, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

⁶⁴⁸ Ibid, p. 18.

⁶⁴⁹ Reginald Bosworth Smith, *Life of Lord Lawrence*, (London: Smith, 1883), 2, p. 540

⁶⁵⁰ Landen, *Oman Since 1856*, p. 180.

these concepts through respect for local traditions and political mechanisms.⁶⁵¹ Frere's model aligned with Trucial socio-political concepts of protection, which maintained the autonomy of protégés in exchange for guidance and mediation in disputes between their subordinates. It also provided the recognition that local rulers sought to secure themselves in a traditionally turbulent environment through alignment with a strong protector.

In the aftermath of the Indian Crisis, officials were divided between a forward school of frontier policy and a legal school of 'masterly inactivity.' The former wanted to be equally active along internal borders as well as external, whilst the latter stood for vigilant non-intervention across the northwest frontiers and in the princely states.⁶⁵² 'Masterly inactivity' may be broadly defined as a policy of non-intervention towards internal affairs, except when another power has interfered. This was the policy Lawrence adopted towards Afghanistan, but it bore striking similarities to his position regarding Pelly's actions. As British officials struggled with an identity crisis in India, it was inevitable that their conflicting positions would also be reflected in their approach toward the established orthodoxy of non-intervention in the internal affairs of Oman.

Lawrence's determination that Pelly could acquire a degree of caution was indicative of his desire to avoid interference. The return of the subject's possessions and a guarantee of their future safety were both in keeping with their duty to protect their subjects while maintaining their neutrality. The absence of a coherent or over-arching imperial vision created confusion for the men on the spot. If their superiors could not agree, knowing how their decisions would be perceived or which policy to enact was almost impossible. Pelly was despondent, he remarked that 'I respectfully ask how an officer in my position is to act under the policy of this Government of India. I cannot even protect our own subjects on the littoral... I have never heard or read from the time of Cromwell onward that

⁶⁵¹ John Martineau, *The Life and Correspondence of Sir Bartle Frere*, 1 (London: John Murray, 1895), pp. 50-51, 69-70, 168-69 and 495.

⁶⁵² Knight, *Britain in India, 1858-1947*, pp. 23-24.

our subjects should be plundered, injured or butchered by foreign governments and we look tamely on while we have the means of supporting them.⁶⁵³

To make matters worse, Thuwaini was murdered by his son and Pelly was obliged to make his way to Muscat out of concern for the safety of British Indians. He lamented that 'if injury occurred to these subjects it would be beyond my power to preserve the states of Muscat from those calamities or perhaps ruin... I had so long striven to stave off.'⁶⁵⁴ In the meantime, evacuated the merchants and their property. After one of Turki's slaves delivered a letter intimating a plot to assault his vessel, Pelly hurriedly departed to await further instruction from India. Pelly recommended they should withdraw 'as much as possible, from Muscat affairs, and Muscat defensive and offensive alliances.' With a settled policy, he believed it would be the easiest and safest policy to withdraw and allow the situation to settle down.⁶⁵⁵

As Pelly departed aboard the *Berenice*, questions regarding Britain's role in Trucial politics remained unanswered. Said's death and the Indian Crisis inevitably led to a re-assessment of their regional role and relationships. Despite the best efforts of Hamerton, Rigby and Pelly, uncertainties remained – specifically surrounding the status of British Indian subjects. The expansion of Britain's extraterritorial jurisdiction was constructed upon the beachheads they established through their collaboration with and deployment of Native Agents. This penetration of internal politics was crucial to the establishment of an informal empire, but it was a contravention of their commitment to non-intervention. The intimate involvement of their employees and British Indian subjects in the Trucial slave trade was also a source of potential embarrassment.⁶⁵⁶ Employment within the Bushire

⁶⁵³ London, BL, India Office Records and Private Papers, Mss Eur F126/43, fol. 39, Letter from Lewis Pelly to Bartle Frere, 22 June 1866 <https://www.qdl.qa/en/archive/81055/vdc_100024195009.0x000031>.

⁶⁵⁴ Ibid.

⁶⁵⁵ London, BL, India Office Records and Private Papers, Mss Eur F126/38, fols 38-45, Letter No. 17 of 1866 from Lewis Pelly to Charles Gonne, 14 March 1866 <https://www.qdl.qa/en/archive/81055/vdc_100024174347.0x00000d>.

⁶⁵⁶ Goswami, *The Call of the Sea*, pp. 239-94.

Residency had provided Indian merchants with an additional layer of protection, which was expanded further by Britain's extension of their extraterritorial jurisdiction.

This integration into Trucial society and the varying statuses of parts of India made it difficult to distinguish between Omani and British subjects. Individuals exploited this confusion to circumvent prosecution from either the British or Omani authorities. The India Penal Code and Rigby Emancipation went a long way toward providing solutions to these difficulties, but their expanding extraterritoriality had made it difficult to proclaim a strict policy of non-intervention. By the 1850s, the Maritime Truces and the Hamerton Treaty largely established a normative order, which was constructed around the dual legalities of maritime violence and slave trafficking. Under the terms of these agreements, the boundaries of Britain's legal space were confined to the waters of the Gulf of Oman and the Persian Gulf. The designation of maritime violence and slave trafficking as inimical to legitimate commerce and regional tranquillity had allowed the British to construct an identity as a maritime policeman. Yet, through an extension of the principles established under the Treaty of Commerce, Britain greatly enlarged its influence within the domestic centres of local authority – a sphere which they had officially regarded as impenetrable.

Through their attempts to expand their control over British subjects in foreign territories, they inadvertently undermined their public policy of non-intervention. By 1866, British policy in Trucial Arabia was effectively in a stalemate. While Pelly was unwilling to abandon British subjects in Muscat after Thuwaini's murder, he restricted himself to their evacuation. Without Lawrence's support for more direct intervention, he was resigned to playing a reduced role in Muscat. Yet, the Rigby Emancipation and Pelly's interventions were indicative of the growing willingness of men on the spot to intervene more directly in the internal affairs of Trucial Arabia. They were supported by 'new imperialists' like Frere, who had begun to assume positions in the reorganised administrative structure of British India in the aftermath of the Indian Crisis. These 'new imperialists' were at the forefront of a forward policy in India. This inevitably informed British policy towards Trucial Arabia,

which was a crucial component of the *cordon sanitaire* they erected around the subcontinent.

However, Lawrence's resistance to Pelly's actions indicated that Calcutta was not willing to abandon non-intervention entirely. The retreat from Rigby's forthright endeavours in Zanzibar by his successors suggests cautious pragmatism was not entirely abandoned. Individuals always influenced policy and these conflicts would prove significant in the reorientation of power hierarchies influenced by the trajectories of the imperial network which shaped the Trucial system.

7.0 – The Revival of Maritime Violence and ‘New Imperialism,’ 1861-1869

Following the introduction of the Maritime Truces, the issue of maritime violence within the Restrictive Line was largely solved. Although violence was by no means eradicated, incidents rarely escalated into significant episodes. The most extensive cases were resolved through the deployment of gunboats and British mediation. Despite these successes, the Trucial system was not conclusive. Jurisdictional loopholes, like those which had plagued efforts against slave trafficking, still existed. Although Bahrain was a signatory of the General Treaty, it had refused to join the Maritime Truces. While this obligated them to refrain from engaging in ‘plunder and piracy,’ there were no restrictions on their ability to conduct warfare by sea. Although the Maritime Truces incorporated elements of the socio-political traditions of protection, which allowed the British to articulate the agreements through local customs, they did not satisfy crucial demands for protection from external aggression. The provisions only provided mediation and enforcement of compensation in cases between the signatories. This gap, informed by Calcutta and Bombay’s official commitment to non-intervention, meant that the disruptions caused by the ambitions of Egypt, Persia, the Ottomans and the Wahhabis remained unchecked. In this chapter, we will examine Britain’s evolving approach toward the enforcement and protection of the Trucial system:

Firstly, we will examine how Britain approached the issue of protection outside the Maritime Truces. Here we will examine how Bahrain highlighted the inconsistencies in Britain’s approach. Significant protection was always informed by perceived threats to British paramountcy. The re-establishment of Egyptian dominance over the Wahhabis was viewed as a threat to Britain’s informal possessions in Trucial Arabia. To compound matters, a crisis along the Al-Hasa coast was beginning to emerge as Bahrain was threatened by invasion. However, despite London’s willingness to devote military resources to counteract regional threats, Calcutta was only willing to extend an offer for temporary protection to Bahrain. Unconvinced by these proposals, the Bahrainis sought protection elsewhere,

first from Persia and then from Egypt. These cyclical patterns of protection seeking and attempts by rival powers to assert their claims over Bahrain would largely inform Bahraini foreign policy for another twenty years. Britain's eventual solution to this dilemma was the Friendly Convention (1861), which bound Bahrain under similar arrangements as the other signatories of the Trucial system.

Secondly, we will inspect how the British imperial administration was restructured after the Government of India Act (1858). This will allow us to establish how existing interrelations evolved and highlight some deficiencies of British imperialism in Trucial Arabia. As the Board of Directors authority was marginalised, Calcutta largely answered to the Board of Control and delegated responsibility for the management of Trucial Arabia to Bombay through their representative, the PRPG. Responsibility for implementing British policy in the region remained largely delegated to the PRPG, who was empowered to act with discretion. However, the Residency was isolated from its superiors and communications were easily delayed. Although the introduction of telegraph lines brought some improvements, PRPGs were expected to interpret increasingly conflicting demands from their bickering superiors. As the Persian Gulf rose in importance as a line of communication between London and India and became increasingly integrated into the global economy, the tranquillity of its waters was increasingly important.

Thirdly, we will explore how growing tensions between 'new imperialism' and 'masterly inactivity' in India informed the discourse surrounding British intervention. Here we will demonstrate how the British Indian administration was increasingly divided in their visions for their role in Trucial Arabia. For most of their tenure in the region, the British had been reluctant to countenance any manoeuvres against the Wahhabis. Despite this, Diriyah was frequently at the centre of political turmoil in the territories of the signatories of the Trucial system, which undermined maritime security and local authority. However, attacks against British officials by Wahhabis and growing suspicions of a Muslim conspiracy in India were beginning to fuel a re-assessment of their stance in

Central Arabia. After the murder of Thuwaini, the British were dragged into the ensuing crisis as the collapse of the Omani economy and the refusal of Majid to pay the Zanzibar subsidy threatened to destabilise the region.

Finally, we will examine how the British responded to the first test of the Friendly Convention during the Qatari-Bahraini War. Here we will establish how Britain's depleted naval resources in the aftermath of administrative restructuring following the Indian Crisis left the PRPG unable to enforce the Trucial system. Although the Friendly Convention secured Bahrain the protection it sought, it was complicated by the division between the Al-Khalifa centre of power in Bahrain and their nominal possessions on the mainland. While the Bahrainis were now obliged to abstain from maritime warfare, it was the only method they could use to punish their Qatari dependencies. When their pretensions ignited a violent backlash under Mohammed bin Thani, naval depredations erupted in the absence of British cruisers. After the dissolution of the Indian Navy, responsibility for the Gulf was placed under the Admiralty. However, inhospitable conditions and overstretched resources left the PRPG without an effective deterrent. Face with a growing crisis, the Residency was unable to adequately protect the provisions of the Trucial system. This bore striking similarities to earlier problems during the conflicts between the Bani Yas and the Qawasim.

7. 1 – Bahrain, External Aggression and the Friendly Convention (1861)

Although the Maritime Truces largely contained extensive episodes of violence, they suffered from familiar problems. Under the Restrictive Line, only Abu Dhabi, Ajman, Dubai, Umm Al Quwain and the Qawasim were obligated to follow their provisions. Jurisdictional loopholes had already proven problematic to Britain's campaign against slave trafficking, so long as gaps existed, universal prohibition was impossible. The most significant of these was Bahrain, which refused to join the

accord despite being a signatory of the General Treaty. While they were obliged to abstain from 'plunder and piracy,' they were under no obligation to cease their pursuit of lawful warfare by sea. The Utub of Kuwait had already been active in the region before they invaded Bahrain, participating in attacks against Oman and launching their raids against Bahrain after the collapse of Safavid authority. The Al-Khalifa branch migrated from Kuwait during this period, where they founded Zubarah in northwestern Qatar.

Under Ahmad ibn Muhammad ibn Khalifa, they successfully removed the Persians from Bahrain in 1783. Ahmed became the first *Hakim al-Bahrain* (Caretaker or Judge of Bahrain) until he died in 1795. His sons Abdullah and Salman ruled together until the latter died in 1821, but by this period Abdullah assumed the position of principal ruler.⁶⁵⁷ Abdullah was a signatory to the General Treaty (1820), but crucially this did not entitle him to any protection by the British from external aggression. Even the Maritime Truces themselves only afforded protection from other signatories. The absence of explicit guarantees of British protection was a significant problem for local rulers. Bombay's commitment to non-intervention was disastrous in Oman, where their unreliable support severely undermined Said's authority. Between 1796-1828, Bahrain found itself trapped between Omani and Wahhabi aggressions. Said bin Sultan alone launched expeditions against Bahrain in 1811, 1816, 1820 and 1828, in addition to his father's assault in 1802. After aligning themselves with the Wahhabis to remove the Omanis, Abdullah and Salman also found themselves imprisoned and replaced by a Wahhabi governor in 1810.⁶⁵⁸

These cycles of violence and oscillating alliances would inform Bahrain's foreign policy throughout the first half of the nineteenth century as they continued to find themselves the object of external designs. Unsurprisingly, this would have a destabilising effect on the tranquillity of the Gulf, which Britain was eager to protect. Significant British intervention was usually only deployed when they

⁶⁵⁷ Spencer C. Tucker, *Modern Conflict in the Greater Middle East* (Santa Clara: ABC-CLIO, 2017), p. 44.

⁶⁵⁸ Patricia Risso, 'Competition for Bahrain during the early decades of al-Khalifa rule, especially in the years 1799-1803', in *Bahrain through the Ages: The History*, ed. by Shaikh Abdullah bin Khalid al-Khalifa and Michael Rice (London: Routledge, 1993), 458-66, p. 464.

believed their position of paramountcy was under threat by a rival power. Anxieties surrounding French pretensions had largely informed their decision to align themselves with Oman under the Treaty of Friendship (1798). By the 1830s, fears over Muhammad Ali's ambitions in Syria and Arabia caught the attention of Palmerston. Britain already aligned itself with the Ottomans to stave off potential Russian advances into the Mediterranean. Muhammad's campaign against the Porte to demand control over Greater Syria as recompense for his support during the Greek War of Independence greatly alarmed Britain and France. Both feared that a weakened Ottoman Empire posed a potential risk to the balance of power established at Vienna and they pressured the two parties to sign the Convention of Kütahya (1833).⁶⁵⁹

In their eyes, Muhammad's movements presented a threat to European stability due to the damage they posed to the Ottoman Empire as a whole. More importantly for Whitehall, any depletion in the Sultan's power placed their transportation and communication routes to India at risk of the indirect dominance of France and Russia.⁶⁶⁰ This placed Trucial Arabia into the orbit of a much larger internal crisis. It was these international implications that placed it under the purview of the Foreign Office. However, the territorial dimensions of the conflict intersected across various imperial jurisdictions, including the Residency.⁶⁶¹ Henry Dodwell and Harold Temperley both believed their 'threats to the Persian Gulf, Red Sea and Euphrates valley were the real cause of Palmerston's hostility' towards Muhammad.⁶⁶² After the Wahhabi Amir Turki bin Abdullah was murdered in 1834, Central Arabia was plunged into fractious infighting which Muhammad was eager to exploit to re-assert Egyptian control under the pretext of supporting Khalid bin Saud to defeat his nephew Faisal bin Turki.

⁶⁵⁹ Johnathan Parry, *Promised Lands: The British and the Ottoman Middle East* (Princeton: Princeton University Press, 2022), pp. 144-73.

⁶⁶⁰ Ozan Ozayci, *Dangerous Gifts: Imperialism, Security, and Civil Wars in the Levant, 1798-1864* (Oxford: Oxford University Press, 2021), pp. 166-67.

⁶⁶¹ M.S. Anderson, *The Eastern Question, 1774-1923* (London: Palgrave Macmillan, 1966), pp. 88-109.

⁶⁶² Henry Dodwell, *The Founder of Modern Egypt – a Study of Muhammad 'Ali* (Cambridge: Cambridge University Press, 1931) and Temperley, Harold, *England and the Near East: The Crimea* (London: Routledge, 1936), p. 416.

However, the primary purpose of Ali's campaign in Central and Eastern Arabia appears to have been to clear the approaches for an advance upon Turkish Iraq. After the Pashaliqs were begrudgingly conceded to him in 1833, he gave several indications that his next target was Baghdad. As early as March 1834, an Egyptian agent named Saiyid Khalid confided in the PRPG that he was the bearer of letters from Ali not only for several sheikhs in Iraq but more importantly Said bin Sultan as well.⁶⁶³ Although Bombay was reluctant to become embroiled in the Trucial Arabian domestic sphere through a conflict with either Egypt or the Wahhabis, their paramountcy still relied on their ability to protect their influence over the sea lanes between the Gulf and India.⁶⁶⁴

Both of these forces would soon converge upon Bahrain. Abdullah had been forced to pay the Wahhabi's tribute in 1830, but by 1838, Muhammad ordered another invasion of Central Arabia. After Faisal surrendered, Palmerston wrote to British agents in Cairo that he heard Egyptian forces were 'about to cross the Peninsula of Arabia to Al-Hasa and Qatif, with the ultimate purpose of taking the Island of Bahrain.' He instructed them to impress upon Muhammad, Britain's 'hope and trust', that he would 'abandon any intention of establishing himself in the Persian Gulf, because... such a scheme on his part could not be viewed with indifference by the British Government.'⁶⁶⁵ He also dispatched an additional expeditionary force to Aden to prevent them from submitting to Egypt. Palmerston's optimism that a crisis had been averted was disrupted by developments in Bahrain. By January 1839, Khurshid Pasha occupied Al-Hasa and dropped earlier pretences, informing PRPG Samuel Hennell that Central Arabia was restored to Egyptian authority.

More concerningly, as Bahrain was considered a Wahhabi tributary, they expected them to submit as well. Khurshid hoped to offer a *fait accompli* after dispatching representatives to Bahrain, but after an abortive attempt to bribe them, Abdullah declared he could not comply as he was a subject

⁶⁶³ John Barrett Kelly, 'Mehemet 'Ali's Expedition to the Persian Gulf 1837–1840, Part I', *Middle Eastern Studies*, 1:4, (1965), 350-81 (pp. 350-51).

⁶⁶⁴ Balfour-Paul, *The end of empire in the Middle East*, p. 100.

⁶⁶⁵ BL, IOR/L/PS/20/C248C, pp. 201-2, Précis of correspondence regarding the affairs of the Persian Gulf, 1801-1853, 1906.

of Persia.⁶⁶⁶ This was undoubtedly a bluff, following this declaration Abdullah sent a letter offering to place himself under Persian protection in exchange for tribute. He also approached Hennell, who rejected him, believing Khurshid could be dissuaded with a warning. For his part, Abdullah was operating within accepted norms by seeking protection, with his position under threat from a much stronger neighbour. Britain's rejection was informed by the belief that any commitment towards the defence of Bahrain would also include an obligation to defend Qatar, which would involve the potential deployment of troops.

Egypt's recent declaration persuaded Hennell to revise this position. Despite repeated reports to Bombay, he was left without any instructions and forced to remind him that the British would view any advance against Bahrain as hostile due to their status as signatories of the General Treaty. Finally, he was informed that any proceeding would be contrary to existing understandings between Britain and Egypt and to report on the strength of both parties.⁶⁶⁷ The PRPG was effectively placed into a state of inertia between British relations with Egypt and Bahrain's status as a signatory of the General Treaty. To address the matter, a cruiser was despatched under Rear-Admiral Frederick Maitland. Governor-General George Eden wrote to Bombay that he anticipated the 'necessity of further interference... to save Bahrain from falling into [Egyptian] hands... will have been obviated, either by his having attacked it successfully before the Admiral's arrival or by the Admiral's presence and interference having rescued it from attack.'⁶⁶⁸

Without further instructions from Palmerston, he was reluctant to authorise further measures unless Abdullah offered to place Bahrain under British protection. Eden authorised Maitland to 'assure [Abdullah] of the temporary protection' of the Squadron and to persuade the Egyptians 'that it will be incumbent... to abstain from further military proceedings' until they both received further orders.⁶⁶⁹ Although Abdullah insisted he could repel any invasion, his pursuit of protection revealed

⁶⁶⁶ Kelly, 'Mehmet 'Ali's Expedition', p. 361.

⁶⁶⁷ Lorimer, *Gazetteer of the Persian Gulf*, p. 863.

⁶⁶⁸ Cited in Kelly, 'Mehmet 'Ali's Expedition', p. 369.

⁶⁶⁹ *Ibid.*

this was unlikely. He was informed that the Egyptians would 'hardly find much difficulty in getting boats to carry his troops across the narrow sea.'⁶⁷⁰ Maitland had also been sent to dissuade further aggressions against British agents in Bushire amidst growing tensions between Persia and Calcutta, but by March the Residency was moved temporarily to Kharag. Any pretensions Abdullah had for seeking Persian protection subsequently evaporated.⁶⁷¹

Palmerston was furious about the withdrawal from Bushire, but it also highlighted a growing divide between London and India. While Bombay and Calcutta were reluctant to deviate from their policy of non-intervention, Palmerston was willing to consider the deployment of troops. After the Shah laid siege to Herat in Afghanistan, John Hobhouse wrote to Calcutta reminding them of the threat Egypt posed to India and that 'I cannot help thinking that the necessity which this contemplated declaration... might create, would justify also the occupation of Kharag... [Ali] will doubtless follow up his declaration by an attack on [Baghdad]... and we shall want a position for British Troops in the Gulph of Persia.'⁶⁷² In June, McNeill landed on the island along with an expeditionary force of five hundred sepoy along with a naval detachment from Bombay but the siege of Herat had recently lifted.

Eden blamed his subordinates despite authorising Hennell to withdraw if necessary. Regardless, their departure reduced British prestige and disrupted the Residency precisely when Abdullah decided his future. When Hennell visited him in July, he discovered that the *Hakim* had acknowledged Egyptian supremacy and agreed to pay tribute in return for his local autonomy. He justified his decision by reminding Hennell of his earlier rejection and Britain's reluctance to offer him firm guarantees of protection.⁶⁷³ Abdullah's decision is even more understandable when we

⁶⁷⁰ Cited in Hawley, *The Trucial States*, p. 157.

⁶⁷¹ Vanessa Martin, 'The British in Bushehr: the impact of the First Herat War (1838-1841) on relations with state and society', in *Anglo-Iranian Relations since 1800*, ed. by Vanessa Martin (New York: Routledge, 2005), pp. 55-66 (pp. 59-60).

⁶⁷² Cited in Kelly, *Britain and the Persian Gulf*, p. 294.

⁶⁷³ Ibrahim Khalil Ahmed, 'The Role of Bahrain in Mohamamad Ali's attempts to establish a unified Arab nation', *Bahrain through the Ages: The History*, ed. by Shaikh Abdullah bin Khalid Al-Khalifa and Michael Rice (London: Routledge, 1993), pp. 1-12 (pp. 5-7).

consider that the British struggled to determine a course of action during a moment of existential crisis for Bahrain. While Calcutta did not disapprove of Bombay 'entering into an engagement,' they doubted it would be 'expedient for [Bahrain] to be taken under the protection of the British Government.'⁶⁷⁴ Their decision to follow a 'cautious but determined policy in counteracting the Egyptian designs... without committing themselves to serious aggressive measures' likely informed Abdullah's scepticism towards any temporary arrangements.⁶⁷⁵

Predictably, Calcutta was dissatisfied with Bahrain. Abdullah's explanation was deemed 'most unsatisfactory', as no 'imminent danger threatened him.' He was accused of surrendering 'his independence at first summons... before any military demonstration to adopt that course' after all the 'encouragement to resistance and promise of support.'⁶⁷⁶ Eden believed Abdullah's behaviour had 'deprived him of all claims to the good offices or interference' on his behalf, for he had 'set an example to his neighbours of assisting the course to unjust violence and conquest' in which Muhammad had been engaged. Bahrain preferred the 'alliance of the Egyptians to that of his ancient supporters and friends and he has done so with the knowledge that he was so injuring the rights and interests of the British Government.'⁶⁷⁷

Calcutta's response demonstrated a fundamental misunderstanding of Abdullah's position. Bahrain's courting of British protection was rejected. When an offer finally arrived, it was strictly temporary. Abdullah must have been aware of Britain's unreliable support to Oman and the absence of a long-term solution provided him little security. In this context, it is understandable that he sought protection elsewhere. When tensions between Persia and Britain were ignited, his options became limited. Despite Eden's condemnation, Abdullah recognised the necessity to withdraw from negotiations with Fars in deference to his relations with Britain. Submitting himself to Egypt

⁶⁷⁴ Saldanha, *The Persian Gulf Précis*, p. 218.

⁶⁷⁵ BL, IOR/L/PS/20/C248C, p. 215, Précis of correspondence regarding the affairs of the Persian Gulf, 1801-1853, 1906.

⁶⁷⁶ Cited in Saldanha, *The Persian Gulf Précis*, pp. 219-20.

⁶⁷⁷ *Ibid*, p. 220.

immediately relieved the threat of invasion, providing the most stable form of protection available to him. His behaviour conformed entirely with the socio-political culture of protection seeking. Although Britain had extended a rare offer to deploy the Squadron as a deterrent, it was only because they were suspicious of Egyptian pretensions and their potential effect on British paramountcy. Even if Bahrain was a party to the Maritime Truces, the signatories were only offered protection from their fellow signatories, not external aggressors.

Remarkably, according to Lorimer, Abdullah's alignment with Egypt sparked conversations about his removal. He noted that 'the possibility of his being displaced by a more favourably disposed Shaikh was discussed with equanimity by the Secret Committee of the Directors... and [Calcutta] decided not to hold back [Oman], should [they] again resolve on attempting the conquest of Bahrain.'⁶⁷⁸ This admission highlights how non-intervention could be invoked or revoked for imperial purposes and how their collaborative informal network relied upon compliant rulers who were not inimical to their interests. Whatever animosity they may have held for Abdullah quickly became redundant. The Egyptians evacuated Al-Hasa in 1840 and after a protracted internecine conflict, Abdullah was removed by his grandnephew and co-regent Muhammad bin Khalifa in 1843. Despite this, their relationship with his replacement was no less strained. Muhammad continued to court the protection of the Persians and the Ottomans. He also resumed animosities with the Wahhabis, partly due to Abdullah's asylum at Dammam.

Unsurprisingly, these divisions caused several disturbances. In 1847, the Restrictive Line was violated when Abdullah crossed to the Persian coast to seek reinforcements, but most disturbances were restricted to the Al-Hasa coast. As Talal Farah notes, by 1860, the British were increasingly ready to 'revise their views' after they had averted the 'invasion or acquisition of Bahrain by her covetous neighbours on various occasions.' As Muhammad's reign became increasingly volatile, they realised these efforts would be wasted if he disrupted legitimate commerce, aggravated his neighbours or

⁶⁷⁸ Lorimer, *Gazetteer of the Persian Gulf*, p. 866.

courted the friendship of rival powers.⁶⁷⁹ As 1860 approached, these long-standing tensions finally came to a head. Preparations were made by the governor of Al-Hasa and the son of the deposed Abdullah to make him *Hakim*. The British dispatched a vessel to prevent them, much to the annoyance of Faisal, who claimed they were refusing to pay him tribute.⁶⁸⁰ PRPG Felix Jones informed him of Britain's determination to preserve Bahraini independence, but Faisal declared himself an Ottoman vassal to dissuade further action.⁶⁸¹

As Britain's interrelations with Bahrain were placed under a microscope once again, it was increasingly apparent further measures were required. By May, the crisis deepened when Faisal threatened to occupy Qatar if the annual subsidy was not paid. Jones wrote to Bombay, recommending a punitive expedition against Al-Hasa to remove Abdullah's son from Dammam. He was authorised to carry out his recommendations but soon learned that Bahrain had begun a retaliatory blockade without informing him. Commodore Drought was despatched, descending upon the Bahraini fleet and capturing two of its vessels.⁶⁸² Recognising that resistance was inadvisable, the Bahrainis abandoned the venture and agreed to meet with Jones. The PRPG negotiated a settlement known as the Friendly Convention (1861), which bound Bahrain under similar obligations as the Maritime Truces.

In return for British protection from maritime invasion, the Bahrainis acknowledged their earlier treaties with Britain and promised to abstain from 'the prosecution of war, piracy and slavery by sea.'⁶⁸³ They also recognised Britain's extraterritorial jurisdiction over 'British subjects of every kind,' permitting them to reside and trade in his dominions. Bahrain would no longer be a viable target for Wahhabi dependency, though they continued to pay tribute for their possessions in Qatar. Having

⁶⁷⁹ Talal Toufic Farah, 'Protection and Politics in Bahrain, 1869-1915' (unpublished doctoral thesis, University of London, 1979), pp. 54-55.

⁶⁸⁰ Habibur Rahman, *The Emergence of Qatar: The Turbulent Years, 1627-1916*, (Abingdon: Routledge, 2010), p. 71.

⁶⁸¹ Lorimer, *Gazetteer of the Persian Gulf*, p. 887.

⁶⁸² *Ibid*, p. 889.

⁶⁸³ See Appendix - The Friendly Convention, 21st May 1861.

secured Britain's position in Bahrain, Jones resumed his plans against Al-Hasa. After Faisal rejected an ultimatum, he bombarded Dammam. After hours of exchanges, 'in which no casualty occurred on either side,' Abdullah's son fled and the 'Wahhabi authorities and traders on their coast were inwardly pleased at the long-pending question being thus settled.'⁶⁸⁴

Although Bahrain tested Britain's patience, the opportunity to extend the Trucial system was irresistible. External aggressions had plagued Bahrain for sixty years and greatly threatened Britain's position of paramountcy in Trucial Arabia. As Jones departed the Residency, the importance of the Gulf to British communications and its integration into the global economy made the protection of the region increasingly important. Yet, their continued reluctance to intervene in domestic affairs would have predictable consequences. Internal divisions and dissatisfaction with Muhammad would continue, threatening to erupt into expressions of maritime violence. Once again, Britain's artificial division between land and maritime spaces would be penetrated by escalating tensions between the increasingly unpopular *Hakim* and his Qatari subjects, which made conflict inevitable. Just as Trucial Arabia rose in prominence, the inadequacy of British countermeasures would be exposed amidst tensions within the Indian administration.

7.2 – Imperial Divisions and the Men (Put) on the Spot

Bahrain's acceptance of the Friendly Convention coalesced with seismic changes occurring in the British Administration. Under the Government of India Act (1858), the subcontinent was restructured, but it also led to the reorientation of the imperial network. As John Darwin notes, the largest scale-endeavours had more than one object. The notion of a 'consensual, coherent and

⁶⁸⁴ Cited in Richard Bayly Winder, *Saudi Arabia in the Nineteenth Century* (London: Palgrave Macmillan, 1965), p. 190.

focused' imperial policy was always a pipe dream.⁶⁸⁵ Without an absolute figurehead, rule largely depended on a 'whole mass of hands' tugging the wheel of state 'this was and that' in a competing series of zigzags. In the absence of a coherent imperial vision – an 'official mind' - the empire was divided between multiple departments. Colonies were – mostly – under the purview of the Colonial Office. Other possessions were largely delegated to the Foreign Office, while the Admiralty and War Office oversaw the deployment of British personnel abroad.

Following the dissolution of Company Rule, India had its department – the India Office – to whom the Viceroy reported, who themselves presided over much of Britain's larger eastern interests.

London was divided between half a dozen departments and the further division of their subordinate branches made the production of a coherent imperial vision impossible. With so many stakeholders in London and the colonies, it was inevitable that the trajectories of the imperial network would be constantly reoriented to respond to their priorities. Opposing strategies, overlapping responsibilities and a lack of clarity over the supervision of affairs revealed significant divergences which inevitably informed imperial spaces like the Trucial system.⁶⁸⁶ Conditions in Trucial Arabia were described by John William Kaye as 'a very embarrassing state of affairs', which would only grow worse as 'Zanzibar and Muscat sink more deeply into debt' and London should 'very seriously consider some definite and consistent policy to be pursued towards [them].'⁶⁸⁷

Kaye believed a solution was unlikely 'so long as the diplomatic action of the British Government is conducted by two different Departments.' Through his twelve years of service, he felt confident to assert 'that there is no business done so badly as that which is done by two Departments of State – in this case, by the Foreign Office and the India Office.'⁶⁸⁸ He reported there was a tendency to shift

⁶⁸⁵ Darwin, *Unfinished Empire*, p. 191.

⁶⁸⁶ See Chapter 'India, Eastern Africa and the Middle East, 1858–1947' in Robert J. Blyth, *The Empire of the Raj: India, Eastern Africa and the Middle East, 1858–1947* (New York: Palgrave Macmillan, 2003), pp. 38-64.

⁶⁸⁷ London, BL, India Office Records and Private Papers, IOR/L/PS/18/B2/1, pp. 2-6, Zanzibar, Muscat, and Persia, Memorandum by Political Secretary, 1 July 1868

<https://www.qdl.qa/en/archive/81055/vdc_100030782395.0x000006>.

⁶⁸⁸ *Ibid.*

responsibility between one another and to stave off consideration of troublesome questions by referring them to other departments or requesting secondary opinions. The CIZ was partly under the Foreign Office and partly under the Indian Office. The PRPG was now under the India Office but still reported to Bombay, who in turn reported to Calcutta. Likewise, the Consul in Turkish Arabia fell under the jurisdiction of the India and Foreign Office, whilst the Minister in Tehran was entirely under the Foreign Office.

GIB George Russell Clerk suggested a Governor should be appointed at Aden, corresponding with the Secretary of State as Madras and Bombay, with Assistants with consular power reporting from Zanzibar, Jeddah and Muscat.⁶⁸⁹ Henry Thoby Prinsep believed it may be argued that as Britain had undertaken to suppress the slave trade, which was a 'new feature introduced into the diplomacy of these Indian seas', the management of Trucial Arabia would benefit from a transfer to the Foreign Office. However, as all existing treaties and relations were concluded on behalf of Bombay or India by Indian officers, he was concerned whether London would continue to accept any guarantees made within the engagements. As the existing relations were also designed to suppress maritime violence and protect legitimate commerce, Prinsep concluded that management should remain with India.⁶⁹⁰

In India, the conflict between Bombay and Calcutta had only grown more fractious as GIB Bartle Frere continued to clash with Viceroy John Lawrence.⁶⁹¹ The PRPG Lewis Pelly also had similar disagreements with India's representatives at Muscat, reporting his dissatisfaction with both Colonel Disbrowe and George Atkinson who he described as being 'inclined to excitement,' very nearly compromising the Government on several occasions.⁶⁹² These feelings were mutual, Lawrence wrote

⁶⁸⁹ BL, IOR/L/PS/18/B2/3, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

⁶⁹⁰ London, BL, India Office Record and Private Papers, IOR/L/PS/18/B2/5, fols 42-45, Zanzibar, Arabia and the Persian Gulf, 15 July 1868 <https://www.qdl.qa/en/archive/81055/vdc_100030782395.0x000002>.

⁶⁹¹ Alastair Hazell, *The Last Slave Market: Dr John Kirk and the Struggle to End the East African Slave Trade* (London: Constable & Robinson, 2011), p. 234.

⁶⁹² London, BL, India Office Records and Private Papers, Mss Eur F126/43, fol. 53, Telegram from Lewis Pelly to Bartle Frere, 9 November 1866 <https://www.qdl.qa/en/archive/81055/vdc_100024195009.0x000048>.

to Viscount Cranborne in 1867, informing him that he could see from various dispatches that Calcutta was not getting along with Frere who he accused of attempting to make Bombay independent of the Indian Government.⁶⁹³ Despite this animosity, Lawrence tried to only interfere where necessary and allow Bombay as much autonomy as possible, but the increasingly volatile situation in Trucial Arabia proved a particular source of friction.

Both Frere and Lawrence were at the forefront of increasingly divisive arguments between 'new imperialism' and 'masterly inactivity' respectively. These were problems that London had attempted to alleviate by strengthening the powers of the Governor-General in 1833, but this had achieved little. 'New imperialists' viewed intervention as less of a necessary evil but a moral duty. Frere's philosophy was to employ 'frugal liberality' and to exercise forbearance in support of local rulers.⁶⁹⁴ In contrast, Calcutta continued to prioritise non-intervention in spaces beyond India's direct control, except in the case where interference by another power would undermine British paramountcy.⁶⁹⁵ Through the creation of neutral spheres along the subcontinent's periphery, they hoped to construct a system where advances could be dealt with through diplomatic channels controlled by London without any obligation to any specific ruler or state.

This was an expansion of his predecessors' *cordon sanitaire*, which was constructed in response to French pretensions in the Middle East and Trucial Arabia. R.B. Smith describes this policy as one of 'self-reliance and self-restraint, of defence, not defiance, of waiting and watching that he might be able to strike harder and in the right direction, if the time for aggressive action should ever come.'⁶⁹⁶ Calcutta continued to view its role in the Gulf as one of policing the waters, any radical departure from the existing policy was avoided to prevent any extension of their commitments.⁶⁹⁷

Responsibility for interpreting these competing visions fell upon the men on the spot who were

⁶⁹³ Cited in E. Suryanarayana Murty, 'Sir John Lawrence's Difficulties with the Government of Bombay', *Proceedings of the Indian History Congress*, 30 (1968), 358-67 (p. 360).

⁶⁹⁴ Hazell, *The Last Slave Market*, p. 235.

⁶⁹⁵ Chaurasia, *History of Modern India*, p. 219.

⁶⁹⁶ Cited in Alka and Grover, *A New Look at Modern Indian History*, p. 236.

⁶⁹⁷ Landen, *Oman Since 1856*, pp. 186-87.

deputised to act on their behalf. In Trucial Arabia, the PRPG was tasked with translating these quarrels into official policy. This was not always easy. Crises could escalate quickly, long before any official instructions reached them.

The PRPG was expected – and in many ways forced – to act under his discretion, as officials in India were often unable to superintend matters in the region. As Edmund Burke lamented, ‘seas roll, and months pass, between the order and the execution,’ power was, therefore ‘less vigorous in the extremities.’ He observed that orders sent to America could take as long as thirteen weeks and never less than four.⁶⁹⁸ Under favourable circumstances, the PRPG might receive an answer in under six weeks, but four months was the average. However, by the mid-nineteenth century, a revolution in the way peripheral interests communicated with the metropole and how they communicated internally had arrived. The electric telegraph served as a powerful technological weapon during the Indian Crisis, allowing the British army to outmanoeuvre their opponents to restore British hegemony. The large-scale construction of telegraph lines in India established the necessity of an Indo-European line, which revealed ‘the influence on the diffusion of technology in colonies.’⁶⁹⁹

⁶⁹⁸ Edmund Burke, *Letters and Speeches on American Affairs* (London: Everyman, 1908), pp. 95-96.

⁶⁹⁹ Jyoti Bhusan Das Gupta, *History of Science, Philosophy and Culture in Indian Civilization: vol. XV, Pt 1: Science, Technology, Imperialism and War* (Chennai: Pearson Education India, 2007), p. 241.

Table 7.0 – The value of trade between Bombay and the Persian Gulf (inc. Muscat) between 1860-1865, compared to 1844-1845 in Rs. (Green – Increase and Red – Decrease from the previous year)

Imports	1844-1845	1860-1861	1861-1862	1862-1863	1863-1864	1864-1865
Cotton Wool	N/A	19,200	87,910	1,610,515	1,610,060	6,793,845
Dates	323,432	525,269	1,083,720	1,018,836	957,512	1,430,759
Fruit (Other)	69,981	282,639	291,556	274,989	374,087	337,207
Grain	3,028	2,090	4,906	123,456	372,626	1,043,655
Silk	136,134	156,517	258,967	209,916	279,281	298,296
Wool	88,3901	463,489	382,877	600,239	881,687	771,871
Other	2,731,362	5,028,943	4,173,810	3,729,617	2,916,576	3,590,240
Total	3,352,327	6,478,147	3,283,746	7,566,968	11,891,829	14,264,873
Exports	1844-1845	1860-1861	1861-1862	1862-1863	1863-1864	1864-1865
Cotton Goods	2,020,663	3,283,684	2,721,870	2,334,638	4,507,638	4,126,394
Dyes	40,133	405,888	75,590	51,793	302,058	535,177
Grain	123,071	399,447	355,107	341,215	672,274	958,649
Metals	112,172	256,310	299,322	636,277	421,988	1,306,291
Sugars	746,291	590,364	929,037	565,890	454,080	601,663
Treasure	383,795	451,159	587,450	688,470	1,948,885	3,270,584
Other	1,146,157	1,277,612	1,312,091	1,582,662	1,121,908	1,415,234
Total	4,572,282	6,664,455	6,280,467	6,200,945	9,428,487	12,213,990
Grand Total	7,924,609	13,145,602	12,564,213	13,767,913	21,320,316	26,478,865

BL, IOR/L/PS/18/B2/3, p. 14, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

In 1861, the India Office approved a subsidy for a similar service in the Persian Gulf, which was awarded to the British India Steam Navigation Company. This period was a new global era of steam and steel that transformed the Gulf into a maritime station for British shipping to and from India, where goods and information were transported aboard steamers and through telegrams.⁷⁰⁰ The integration of Trucial Arabia into the global economy and the growing importance of the Persian Gulf in the lines of communication between London and India meant its protection became vital (See Table 7.0). Yet, we must be careful not to exaggerate the immediacy of these effects. British officials were still left to act on their judgement under the threat of rebuke.⁷⁰¹ Indian statesmen were unlikely, without prior experience, to possess intimate knowledge of Gulf politics. Even Bombay was

⁷⁰⁰ Rhoads Murphey, 'On the Evolution of the Port City', in *Brides of the Sea: Port Cities of Asia from the 16th-20th Centuries*, ed. by Frank Broeze (Honolulu: University of Hawai'i Press, 1989), pp. 223-45 (pp. 241-42).

⁷⁰¹ Knight, *Britain in India, 1858-1947*, p. 8.

described as inconveniently distant unless the PRPG was regularly reminded of their known policy, which was still liable to change depending on the individuals involved.⁷⁰²

Frere believed the existing system completely paralysed useful action. He argued that imposing a policy of non-intervention on the PRPG in dealing with 'semi-civilised, ignorant and fanatical people is often dangerous.' Even worse, action directed through a mistrusted agent, four months after the event, by a 'distant and ill-informed absolute Government' was worse than mischievous. It was 'ridiculous, and almost certain to produce results opposite of what was intended.'⁷⁰³ If anything went wrong, 'there will be no one to blame but the unhappy Resident, who can quote nothing that seems like an order without coming across something that seems intended as the antidote, warning him against the very same thing, and leaving him only to be blamed if anything goes wrong.'⁷⁰⁴

PRPGs were left with two impossible choices. They could interpret the contradictory wishes of their superiors to the best of their abilities and act following their discretion. Alternatively, they could wait for further instruction and hope that crises would fail to escalate in the interim.

Neither of these provided a suitable environment for the development of a uniform policy and this was only complicated further by the limited resources at their disposal.⁷⁰⁵ The fiscal affairs of all departments fell under the gaze of the Treasury. While the Trucial system expanded, the necessity to reduce public debt in the metropole enhanced the influence of the 'Treasury Knights' in Whitehall.⁷⁰⁶ Britain had learned - and relearned - that the imposition of taxes could prove swiftly disastrous. Parliament's decision to impose a Stamp Tax in the Thirteen Colonies led to widespread protests in 1765, while Frederic Cardew's 'Hut Tax' in Sierra Leone sparked an armed uprising in

⁷⁰² See Chapter 4 for a discussion on the differing responses to Oman's disintegrating internal stability.

⁷⁰³ BL, IOR/L/PS/18/B2/3, p. 9, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

⁷⁰⁴ *Ibid*, p. 21.

⁷⁰⁵ See Chapter 5 for an examination of the differing policies of CIZ Atkins Hamerton and Christopher Rigby.

⁷⁰⁶ See Jon Davis, *Prime Ministers and Whitehall, 1960-74* (London: Continuum Books, 2007), p. 31.

1898.⁷⁰⁷ Collaboration with local elites was designed to maximise efficiency by reducing the necessity for significant investment. Pax Britannica in Trucial Arabia was effectively a system of empire on the cheap, where the PRPG was expected to advance and protect British interests with minimal investment.⁷⁰⁸

These ‘Ogres of Whitehall’ viewed overseas spending as the next thing to vice and officials were increasingly obligated to justify their expenses.⁷⁰⁹ In New Zealand, upholding the Treaty obligations with the Maori required considerable resources, but British policy invariably favoured economic priorities.⁷¹⁰ This was no different in Trucial Arabia, Calcutta’s official policy of non-intervention was informed by a reluctance to invest resources into protracted conflicts in the domestic sphere. The failure of the Bani Bu Ali campaign was viewed as a demonstration that any significant presence would prove costly. Pelly had argued that a naval station should supplement the telegram lines on the Musandam Peninsula.⁷¹¹ He even suggested they should relocate the Residency there. It was the ‘ideal location for settling and deterring disputes between coastal Arabs and suppressing the slave trade.’ He believed it presented ‘the most dominating point for the Sea-Police.’ Further, he argued that the development of a freeport would provide ‘an unmolested refuge for the free prosecution of commerce’ where merchants could feel safe.⁷¹²

Although the merits of Pelly’s suggestions were praised, Calcutta declined. The removal of the Residency from Bushire, they feared, would ‘excite the jealousy of Persia’ and arouse

⁷⁰⁷ See Edmund S. Morgan and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution*, (Chapel Hill: The University of North Carolina Press, 1962) and Arthur Abraham, ‘Bai Bureh, The British and the Hut Tax War’, *The International Journal of African Historical Studies*, 7:1 (1974), 99-106.

⁷⁰⁸ Harumi Goto-Shibata, ‘Empire on the Cheap: The Control of Opium Smoking in the Straits Settlements, 1925-1939’, *Modern Asian Studies*, 40:1 (2006), 59-80.

⁷⁰⁹ Darwin, *Unfinished Empire*, pp. 192-93.

⁷¹⁰ See Barry Rigby, ‘Empire on the Cheap: Crown Policies and Purchases in Muriwhenua’, *Waitangi Tribunal* (1992).

⁷¹¹ London, BL, India Office Records and Private Papers, Mss Eur F123/36, fols 13-15, Memorandum by Pelly on the development of Steam and Telegraph Communications and their impact on the Political Residency in the Persian Gulf, 1864 <https://www.qdl.qa/en/archive/81055/vdc_100022905642.0x00001f>.

⁷¹² Cited in Christina Phelps Harris, ‘The Persian Gulf Submarine Telegraph of 1864’, *The Geographical Journal*, 135:2 (1969), 169-90 (pp. 175-76).

insurmountable suspicions among the Trucial Arabs.⁷¹³ By the mid-1860s, the Gulf was established as an increasingly vital thoroughfare, facilitating legitimate commerce and allowing fluid communication between various branches of the British Government. Given its growing importance, the protection of these routes became more prescient. These decisions created a powerful stimulus to an increasing necessity to devote resources towards its protection.⁷¹⁴ The security of Trucial Arabia became inextricably bound up with these much wider imperial considerations alongside familiar anxieties.

Fears surrounding a revival of piracy became increasingly prevalent, but the PRPG's capacity to alleviate them was undermined by a lack of naval resources and growing political tensions. The influx of steamers meant local businesses and rulers were marginalised, pushing them into industries that required slave labour to support the growing demand for exports. It also placed a significant strain on the finances of administrations whose authority was already under increasing pressure amidst growing political tensions. Between 1866 and 1869, Bahrain, Oman, Qatar and the Qawasim were all plunged into internecine dynastic conflicts, presenting a severe threat to maritime security. The continued interference of the Wahhabis presented further complications. Not only were they faced with numerous threats, but authorities in India were still not united behind a solution. These divisions would continue to be played out against a backdrop of increasing tensions.

7.3 – The Wahhabis and Omani Political Instability

The question of how to respond to Wahhabi aggression plagued Company officials since the start of the century. Despite posing a persistent threat to regional stability, they were not recognised in the

⁷¹³ Ibid, p. 176.

⁷¹⁴ Landen, *Oman Since 1856*, p. 187

same category as those Britain considered rivals. A strict non-intervention policy guided their interactions since the turn of the century. The withdrawal from Ras al-Khaimah in 1809 was informed by news of an advancing Wahhabi relief force. Total avoidance of conflict with the Wahhabis was strictly enforced, but recent clashes over Bahrain revealed they were beginning to re-assess this policy. Although they were likely involved in Thuwaini's murder, Pelly was instructed to inform the Wahhabi envoys that on account of the 'altered state of affairs at Muscat, all negotiations are for the present suspended.' While he was encouraged to impress upon them that the Sultan's death 'in no way alters [our] determination... to put down in the most prompt and decisive manner any attempt to break the Maritime Truce or to revive piracy,' no further action was taken.⁷¹⁵

When negotiations resumed, Calcutta instructed him to secure a guarantee to abstain from piracy and avoid any molestation of British subjects. Abdullah, reticent that his position was far from secure following Faisal's death, was willing to acquiesce.⁷¹⁶ These promises were rejected by the 'new imperialists,' who strongly disagreed with any further acquiescence to Wahhabi ambitions in Trucial Arabia. Their recent actions had demonstrated to Frere that they continued to pose a significant ongoing threat to Trucial security. He reminded Lawrence that they were 'known to the Indian Government as the chief instigator of the Arab piracy, which scourged and nearly extinguished the commerce of the Persian Gulf.' This reinterpretation reflected Francis Warden's position during the expeditions against Ras al-Khaimah. He had argued that the incidents 'may be attributed wholly and exclusively to the instigation of the Wahhabi tribe.'⁷¹⁷

Whilst the situation had evolved, Wahhabi aggressions followed a familiar pattern. Utilising their position at Al Buraimi, their agents would disseminate dissension in the Omani interior and along the lower Gulf littoral, before launching military operations to extract tribute. These incursions greatly

⁷¹⁵ London, BL, India Office Records and Private Papers, Mss Eur F126/38, fols 79-81, Letter No. 42 or 1866 from Lewis Pelly to Charles Gonne, 23 April 1866
<https://www.qdl.qa/en/archive/81055/vdc_100023554716.0x0000a2>.

⁷¹⁶ Ibid.

⁷¹⁷ Cited in Charles E. Davies, *Global Interests in the Arab Gulf* (Exeter: University of Exeter Press, 1992), p. 65.

destabilised the region due to the Buraimi Oases' central position between the Batinah coast and the Lower Gulf. While the Wahhabis had received a series of blows, Frere feared their recent movements showed 'a considerable revival of their former activity... as an aggressive temporal power in the interior of Arabia.' Bombay's emerging belief that the Wahhabis posed a significant threat was only further informed by concerns surrounding a 'Muslim Conspiracy' in India itself.⁷¹⁸

In 1817, Amir Abdullah bin Saud declared to Britain that 'if you choose war over peace, so be it – God is our one recourse and his will be done... all of these are our enemies and whenever we come across them, we seek God's help in fighting them and plundering their property; thus, He has said... slay the idolaters wherever you find them.'⁷¹⁹ Situating Abdullah's words within an interregional context helps us better understand his designs on spreading the Holy War to the subcontinent. When Britain conquered Delhi in 1803, Shah Abdul Azziz issued a fatwa. Abdul declared India a 'domain of enmity' and that it was now incumbent on Muslims to restore it to Islam. Although this was no more than a gesture, it set a goal his students did not forget, among them was Syed Ahmad. Wilayat Ali flocked to Syed Ahmad's cause and was initially a student of Ghulam Rasul, who had spent many years in Arabia in the province of Nejd. This demonstrated that a radical version of Islam had already been transported to India before Syed Ahmad's pilgrimage in 1821.⁷²⁰

As India continually interacted with Arabia commercially, Wahhabism was just as easily transmitted as pearls and Arabian horses. This was reinforced by pre-existing trajectories between India and Trucial Arabia, which pre-dated British networks. Through the movement of merchants, scholars and pilgrims, reform movements began to take root in Delhi, the Northwest frontier and Bengal. Growing political instability and the rise of British imperialism gave reformed Sufism 'a new role in the

⁷¹⁸ See Chandra Mallampali, *A Muslim Conspiracy in British India?: Politics and Paranoia in the Early Nineteenth-Century Deccan* (Cambridge: Cambridge University Press, 2017).

⁷¹⁹ Cited in Penelope Tusan and Anita L.P. Burdett, *Records of Saudi Arabia: Historical Background* (London: Archive Editions, 1992), p. 585.

⁷²⁰ Calvin H. Allen Jr., 'The Hidden Roots of Wahhabism in British India', *World Policy Journal*, 22:2 (2005), 87-93 (pp. 87-88).

mobilisation of Muslim peoples for defence against European domination.⁷²¹ As we have seen, Ibadis were also beginning to increasingly reject the Al Bu Said's affiliation with the British in Oman. Islam became an increasing concern as the Great Game unfolded in Afghanistan and Company officials searched for 'suspicious-looking Muslim itinerants and preachers' in the various districts of South India.⁷²²

Frere believed that although the temporal power of the Saudis was checked in Arabia, they were still a 'dangerous sect of religious fanatics whose Indian disciples... have frequently caused anxiety... during the past 30 years.'⁷²³ He was not exaggerating; Wahhabism had posed a real threat to British officials. John Nicholson shot a man advancing on him with a sword he described as 'religiously mad.'⁷²⁴ In 1853, Commissioner Frederick Mackeson died at Peshawar four days after an attempt on his life. He had been listening to appeals when a man presented him with a paper before plunging a dagger into his chest.⁷²⁵ The assailant was seized and interrogated, he declared he had acted to stop them from invading his land and viewed his act as one to set him on a course of martyrdom. He was tried and hanged, dying whilst 'glorying in his deed of blood.'⁷²⁶ Following the Indian Crisis, fears of a 'Muslim Conspiracy' had developed.

Despite mixed evidence, many believed Muslims were intimately involved in the uprising. By the 1860s, heavy fighting along the north-western frontier demonstrated to officials that defeat had not brought passivity.⁷²⁷ Frere warned Calcutta that 'there can be no doubt that any considerable increase of Wahabee influence would lead to... an attempt to revive piracy, and seriously impede the

⁷²¹ Ira M. Lapidus, *A History of Islamic Societies* (Cambridge: Cambridge University Press, 2002), p. 211.

⁷²² Mallampalli, *A Muslim Conspiracy in British India?*, p. 185.

⁷²³ London, BL, India Office Records and Private Papers, Mss Eur F126/63, fols 1-2, Minute by Sir Bartle Frere, Governor of Bombay, on the power of the Wahabees in Central Arabia, 9 October 1865
<https://www.qdl.qa/en/archive/81055/vdc_100000001524.0x0003ca>.

⁷²⁴ Lionel James Trotter, *The Life of John Nicholson: Soldier and Administrator* (London: John Murray, 1908), p. 177.

⁷²⁵ Earl Frederick Sleigh Roberts, *Forty-One Years in India: From Subaltern to Commander-in-Chief* (New Delhi: Asian Educational Services, 2005), p. 15.

⁷²⁶ Cited in Charles Allen, *God's Terrorists: The Wahhabi Cult and the Hidden Roots of Modern Jihad* (Cambridge: De Capo Press, 2006), p. 24.

⁷²⁷ Knight, *Britain in India, 1858-1947*, pp. 20-21.

rapidly increasing commerce of the Persian Gulf.⁷²⁸ He believed the Wahhabi state was the single biggest threat to Trucial stability. Despite his pleas, Lawrence believed any alterations to the existing policy of non-intervention should depend on views from London. If it was up to himself, 'I should advise that we interfere as little as may be practicably in the affairs of the Arab tribes... still less those of the tribes of the interior of the country' and to confine themselves 'as a rule, to the suppression of piracy on the high seas.'⁷²⁹

Lawrence's refusal to support Thuwaini in his conflict with the Wahhabis had proven disastrous to regional stability. When his son murdered him, it was strongly believed the Wahhabis were involved. Rumours implicated a Wahhabi named Besharee, who handed Salim the pistol he used to murder his father.⁷³⁰ Although Calcutta advised Pelly to suspend negotiations, their eventual decision to opt for peace highlighted a continuing unwillingness to intervene. In the absence of a British solution, the Omanis created one of their own in the form of Ibadi revivalism, which coalesced around the head of the al-Qais cadet branch, Azzan bin Qais. Although Salim was eager to court the approval of the British, partially through a realisation of his weakness, he came with significantly more baggage. Lawrence was determined to avoid interference, declaring that 'nothing is further from the desire of the British Government than to interfere in the domestic affairs of Muscat.' He wished Trucial Arabia could be 'prosperous, united and happy, free from wars and foreign interference' and he had 'no desire in assisting the late Sultan beyond the attainment of these objects.'⁷³¹

⁷²⁸ BL, Mss Eur F126/63, Minute by Sir Bartle Frere, Governor of Bombay, on the power of the Wahabees in Central Arabia, 9 October 1865.

⁷²⁹ BL, IOR/L/PS/18/B2/3, p. 20, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

⁷³⁰ London, BL, India Office Records and Private Papers, Mss Eur F126/38, fol. 35, Letter No. 14 of 1866 from Lewis Pelly to Charles Gonne, 26 February 1866
<https://www.qdl.qa/en/archive/81055/vdc_100024174347.0x00000a> and fols 38-45, Letter No. 17 of 1866 from Lewis Pelly to Charles Gonne, 14 March 1866
<https://www.qdl.qa/en/archive/81055/vdc_100023554716.0x000051>.

⁷³¹ BL, IOR/L/PS/18/B2/3, p. 20, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

Calcutta's position was hindered by the declining economy Salim inherited from his father. As Robert Landen notes, even before the arrival of British steamers, trade between Muscat and Zanzibar had declined and the former was now far more reliant on trade with Bandar Abbas.⁷³² Shortly following an attempt by Turki to seize control from Salim, Pelly declared that although his attempt was already at an end, Salim would 'remain at risk of future attempts on his life, for, I believe, that the Arab mind while it may sometimes excuse a brother's murder, has a horror of parricide, and this feeling is, I believe, shared by all classes...'⁷³³ Despite these hesitations, Lawrence formally recognised Salim in September 1866, officially reinstating relations with Oman following a brief interlude.⁷³⁴ Calcutta believed this was the more reliable way to uphold the balance of power without having to intervene any further in Oman's domestic quarrels.

This did not account for complications borne by Canning's reorientation of the imperial network under the Canning Award, which precluded India from disentangling itself from Omani affairs. Any illusions Lawrence held over retaining his position of neutrality were short-lived after Majid refused to pay Salim the Zanzibar Subsidy. Majid declared he would not willingly pay his brother's murderer.⁷³⁵ Thuwaini had also rented Bandar Abbas under a twenty-year lease. However, a provision provided the agreement would not be binding should he be usurped. Persia not only accused Salim of being a usurper and parricide but also a defaulter, terminating the lease.⁷³⁶ By the start of 1868, the Governor-General of Fars took steps for his removal, prompting Salim to threaten a blockade. These threats forced the British to intervene. Pelly managed to secure an eight-year lease, for double the rental, 'in favour of Salim and his descendants.'⁷³⁷

⁷³² Landen, *Oman Since 1856*, pp. 276-77.

⁷³³ London, BL, India Office Records and Private Papers, Mss Eur F126/38, fols 105-06, Letter No. 83 of 1866 from Lewis Pelly to Charles Gonno, 21 September 1866
<https://www.qdl.qa/en/archive/81055/vdc_100024174347.0x000038>.

⁷³⁴ Lorimer, *Gazetteer of the Persian Gulf*, p. 478.

⁷³⁵ Robert J. Blyth, 'Redrawing the Boundary between Indian and Britain: The Succession Crisis at Zanzibar, 1870-1873', *The International History Review*, 22:4 (2000), 785-805 (p. 788).

⁷³⁶ BL, IOR/L/PS/18/B2/1, fols 18-20, Zanzibar, Muscat, and Persia, Memorandum by Political Secretary, 1 July 1868.

⁷³⁷ Lorimer, *Gazetteer of the Persian Gulf*, p. 480.

Although Frere agreed with supporting local rulers, he argued that Calcutta's position was deeply conflicted and unclear. He stressed that they had 'thrice, in two years, turned the scale, and always in the direction opposite to that which our interests, our obligations and our intentions indicated.' They had threatened Majid with a blockade if he attempted to punish him, whilst supplying their 'parricidal protégé' with funds to break up a confederacy that had risen to depose him.⁷³⁸ Official despatches on Trucial Arabian affairs were 'so worded that it is very difficult to make out what it is desired we should do. The PRPG was instructed 'not to be friends with [Salim], but he is not to be affronted, nor is anything to be done which will prevent our being friends, if he established his own power... I must confess, if I had nothing but these official letters to guide me, I should be sorely puzzled.'⁷³⁹

On 26th January 1867, the *Overland Mail* insinuated that there was a 'party within the India House itself... which thinks Sir John Lawrence's foreign policy cautious to pusillanimity, and which every now and then pours out reproach that cut the Viceroy to the quick, and almost provoke him into official defence.'⁷⁴⁰ Whilst Lawrence's policy may have been effective previously, Britain's assumption of responsibility for maintaining the maritime peace through their engagements under the Trucial system rendered this increasingly difficult. Frere reminded him that the Trucial system was popular with the signatories, 'though you cannot convert pirates into merchants in one generation.'⁷⁴¹ Persia had approached Britain with a proposal to provide them with ships, at their expense, under British officers to combat piracy. Frere was adamant the proposal was impossible, arguing that 'we cannot devolve on either Persia, Turkey, or Muscat... our obligations and

⁷³⁸ BL, IOR/L/PS/18/B2/3, pp. 9-10, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

⁷³⁹ Ibid.

⁷⁴⁰ London, BL, India Office Records and Private Papers, Mss Eur F126/38, fols 122-24, Letter No. 16 of 1867 from Lord Cranborne to GIB, 28 February 1867
<https://www.qdl.qa/en/archive/81055/vdc_100024174347.0x00004d>.

⁷⁴¹ BL, IOR/L/PS/18/B2/3, pp. 20-22, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

responsibilities to suppress piracy, and to do what is essential to prevent its revival by arbitrating between hostile tribes.⁷⁴²

Neither party was keen to devolve responsibility externally. Yet, if Lawrence remained insistent that their involvement in internal affairs must remain as limited as possible, India needed to be prepared to contain any outbreaks of violence at sea. One of the major motivating factors behind Calcutta's policies was concerns about the debt they had accumulated during the Indian Crisis.⁷⁴³ Non-intervention was as much an exercise in financial pragmatism as political, but one of the side-effects of such cost-cutting was the failure to replace the Persian Gulf Squadron, which was dissolved along with the Indian Navy. As tensions off the coast of Qatar grew, they were about to discover that the Trucial system alone would not prevent maritime violence.

7.4 – The Indian Navy and the Qatari-Bahraini War, 1867-1868

After the conquest of Bahrain, their territorial claims were divided between the island and the Qatar peninsula (See Map 7.0). The British considered Qatar a dependency of Bahrain and Muhammad was liable for any of their infractions.⁷⁴⁴ Although he was expected to punish intransigence, the obligation to 'abstain from all maritime aggressions of every description' under the Friendly Convention was inherently flawed. Qatar and Al-Hasa were repeatedly used as a platform to launch assaults against Bahrain and divisions between them existed since 1783. The Al Jahalma had returned to Zubarah after disagreements with the Al Khalifa, leading to protracted conflicts. The infamous Rahmah ibn Jabir raided Bahraini shipping from his bases at Al Khuwayr and Dammam

⁷⁴² Ibid.

⁷⁴³ Vera Antsey, *The Economic Development of India* (Hyderabad: Longmans, 1936), p. 373.

⁷⁴⁴ Rosemarie Said Zahan, *The Creation of Qatar* (New York: Routledge, 1979), pp. 33-34.

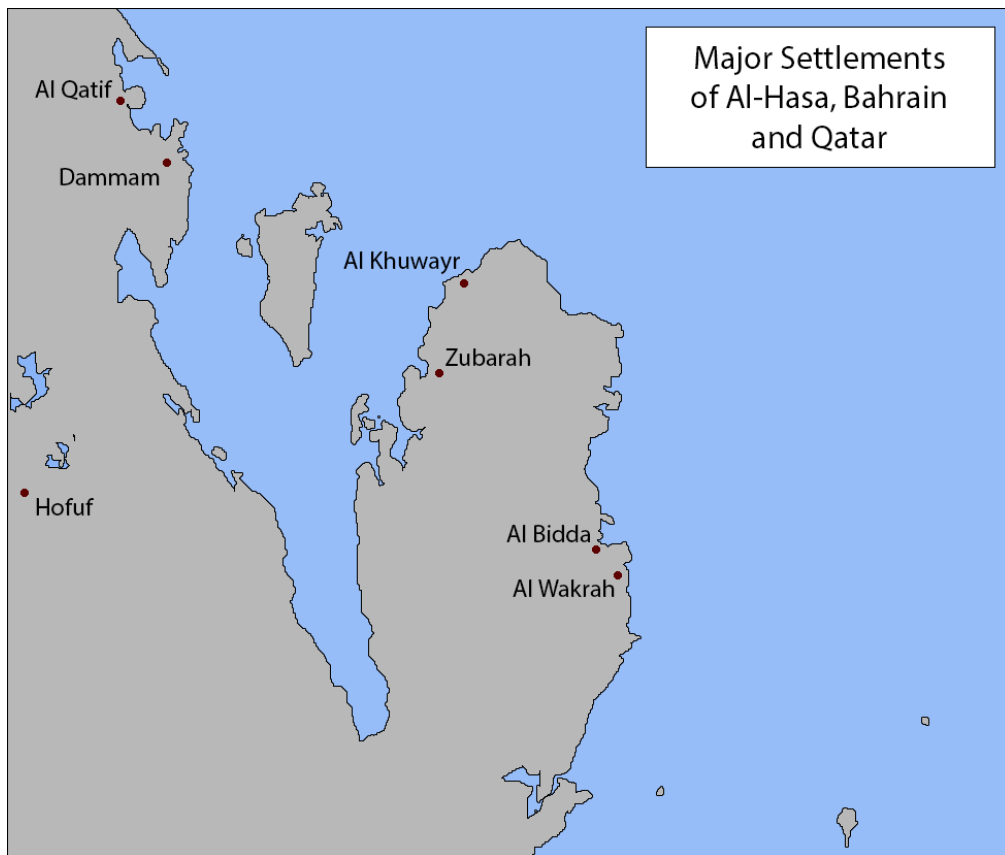
between 1809-1828. After the expulsion of Abdullah in 1843, they continued to host dissident members of the Al Khalifah, just as the British restricted Muhammad's ability to protect himself.

Although the Friendly Convention was a significant addition to the Trucial system, this was a serious flaw that placed maritime peace in jeopardy. Given that escalating internal tensions between territories divided by water ensured maritime conflict was inevitable, how prepared were the British to contain it? After signing the Friendly Convention, the British now had a stake in maintaining peace in the waters around Bahrain. Although the terms were like the Maritime Truces, Bahrain's geographical qualities as an island meant that, unlike the other signatories, the British effectively protected them from external aggression. However, Muhammad continued to display ambitions of re-asserting control over Bahrain's mainland dependencies, where his control was largely nominal.

After improving his relationship with the Wahhabis, he turned towards Al Wakrah in 1863, capturing its chief for deportation to Bahrain. In 1867, a local Bedouin was seized and deported to Bahrain, infuriating Mohammad bin Thani, who demanded his release. The man was quickly released, but when Mohammad's son Jasim was dispatched to negotiate, he was imprisoned. Bahrain, in alliance with Abu Dhabi, quickly descended upon Al Wakrah and Al Bidda 'with circumstances of peculiar barbarity.' Both settlements were 'temporarily blotted out of existence, the houses being dismantled and the inhabitants deported.' The damage caused by the enterprise was estimated to amount to over \$200,000.⁷⁴⁵ Without any vessels, Pelly was in no position to respond as the Qataris responded in kind. The same problems which exacerbated the conflicts that inspired the Maritime Truces had returned.

⁷⁴⁵ Lorimer, *Gazetteer of the Persian Gulf*, pp. 800-1.

Map 7.0 – Major Settlements along the Al-Hasa coast, Bahrain and Qatar.



Pelly reported that ‘small breaches of the peace at seas... owing to our non-interfering... [resulted] in the loss of about one hundred men and some sixty craft.’⁷⁴⁶ By August 1868, he was finally able to depart to Qatar with the *Clyde*, *Hugh Rose* and *Sind*, where he was joined by the HMS *Vigilant* to mediate.⁷⁴⁷ The Bahrainis confessed to breaching the peace, expressing a desire to hand Muhammad over so that ‘arrangements be made for preventing him continuing a career, which... has increasingly become the terror of his neighbours, and the main obstacles to all progress and accumulation of wealth in his own naturally fortunate islands.’⁷⁴⁸ More alarmingly, the Qataris explained that they had acted in the belief ‘the British Government would no longer interfere.’ Large absences of British

⁷⁴⁶ BL, Mss Eur F126/43, fol. 39, Letter from Lewis Pelly to Bartle Frere, 22 June 1866.

⁷⁴⁷ London, BL, India Office Records and Private Papers, IOR/L/PS/20/C248B, p.6, Précis on Naval Arrangements in the Persian Gulf, 1906 <https://www.qdl.qa/en/archive/81055/vdc_100000000884.0x0001d1>.

⁷⁴⁸ London, BL, India Office Records and Private Papers, Mss Eur F126/40, fols 30-37, Letter No. 111 of 1868 from Lewis Pelly to Secretary to Government of Bombay, 25 September 1868 <https://www.qdl.qa/en/archive/81055/vdc_100024102587.0x00000c>.

cruisers had convinced them that Muhammad's destruction of their property and towns meant they were forced to defend themselves. Although Pelly dismissed this as a 'last little bit of futility,' their position was not without merit.⁷⁴⁹ Under the socio-political system of protection seeking, protégés were not obligated to continue subordinating themselves to protectors who proved incapable.

Muhammad finally fled as animosities towards him grew and his brother Ali, who was more aligned with British interests, was elevated in his place. Muhammad's flight was viewed as a forfeiture and Qatar was now viewed as a semi-autonomous political unit under the Al-Thani. More importantly, the episode demonstrated the continuing fragility of the Trucial System without an effective naval deterrent. As British power projection was less openly coercive than other parts of Britain's formal empire, their position was heavily dependent on a naval presence to act as a deterrence.⁷⁵⁰ Salim's envoys already allegedly warned that if Britain abdicated their position as 'active preservers of the peace', little good would come of it.⁷⁵¹

The Maritime Truces had proven popular among the signatories, but only because they successfully stimulated trade and commerce. With the additional pressures of British steamers, regional political instability and the absence of British vessels ensured any existing confidence was beginning to be stretched to breaking point. PRPG Arnold Kemball had already warned of the dangers of lax enforcement of the Trucial system to regional security in the aftermath of the Maritime Truces.⁷⁵²

The truces initially established a more reliable presence under the Persian Gulf Squadron to uphold the provisions. When the Friendly Convention was established, PRPG Felix Jones was able to dispatch Commodore Drought to prevent violence from spiralling beyond his control. Yet, within a

⁷⁴⁹ London, BL, India Office Records and Private Papers, Mss Eur F126/43, fols 101-103, Letter from Lewis Pelly to Bartle Frere, 22 June 1868 <https://www.qdl.qa/en/archive/81055/vdc_100024195009.0x000087>.

⁷⁵⁰ Ash Rossiter, *Conflict and Cooperation in the Indo-Pacific: New Geopolitical Realities* (Oxon: Routledge, 2020), pp. 10-11.

⁷⁵¹ BL, IOR/L/PS/18/B2/3, pp. 20-22, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

⁷⁵² See Chapter 4.4.

year, the situation was markedly different. Pelly was asked to confine his labours to 'the suppression of piracy on the high seas,' yet the resources available to him were scant.⁷⁵³

Following the Indian Crisis, three thousand and twenty sailors were discharged from the Indian Navy in Bombay and a further one thousand four hundred and seventy-four employees lost their jobs when it was disbanded.⁷⁵⁴ After the Government of India Act, the necessity for an Indian naval force was questioned by the Treasury.⁷⁵⁵ By 1863, it was determined that responsibility for 'maintaining the maritime peace in the Persian Gulf, of overawing the slave traders on the East Coast of Africa, and of cruising in the Red Sea' would devolve to the Royal Navy.⁷⁵⁶ The biggest disadvantage of this new system was that owing to the extent of the territory that the East Indian naval station was expected to cover with a relatively small number of vessels, there were rarely enough vessels to hand when required. When the Gulf Squadron was disbanded, naval visits to Bahrain ceased almost entirely.⁷⁵⁷ Between 1863 and 1868, British warships visited Muscat and the Lower Gulf only five times, two of which were to help lay submarine cables for the telegram station.⁷⁵⁸

Outside of crises, the PRPG was expected to uphold the peace without the resources to do so. The suitability of the vessels was also highly questionable. Pelly wrote that the '*Berenice* was found on fire... had to abandon her and take to the boats. We have saved all hands, but nothing else... now here at Nakhilu with only the clothes on our back.'⁷⁵⁹ Frere dispatched two gunboats, to which Pelly replied that the 'officers in command... are very zealous and both boats are in good order.' Despite this, the provision of the *Clyde* and *Hugh Rose* was a temporary measure, any permanent provision

⁷⁵³ BL, IOR/L/PS/18/B2/3, pp. 19-20, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868.

⁷⁵⁴ Sarmistha De, 'Marginal Whites and the Great Uprising: A Case Study of the Bengal Presidency', in *Mutiny at the Margins: New Perspectives on the Indian Uprising of 1857, vol. 2: Britain and the Uprising*, (New Delhi: SAGE, 2013), 165-81 (p. 178).

⁷⁵⁵ O.P. Singh Bhatia, *History of India, 1857 to 1916* (New Delhi: S. Amardeep, 1968), p. 30.

⁷⁵⁶ BL, IOR/L/PS/20/C248B, p.11, Précis on Naval Arrangements in the Persian Gulf, 1906.

⁷⁵⁷ Onley, *The Arabian Frontier of the British Raj*, p. 155.

⁷⁵⁸ BL, IOR/L/PS/20/C248B, p.6, Précis on Naval Arrangements in the Persian Gulf, 1906.

⁷⁵⁹ London, BL, India Office Records and Private Papers, Mss Eur F126/43, fols 48-49, Letter from Lewis Pelly to Hubert Izaak Walton, 1 November 1866

<https://www.qdl.qa/en/archive/81055/vdc_100024195009.0x00003c>.

'being too important a subject to be treated incidentally.'⁷⁶⁰ Following the conclusion of the Abyssinian expedition, Pelly inquired whether it would be possible for one of the steamers to be sent to replace the *May Frere*. He informed Bombay that she was 'really ill-adapted for the work and I have heard many competent marine authorities say she would be unsafe in the heavy weather to which she would be liable in their waters.'⁷⁶¹

The hostile climate of the Gulf presented further problems as the Admiralty wanted to avoid the region during the summer. According to Frere, the Admiralty 'peremptorily forbade the retention of ships in the Gulf after the hot weather set in.' Under these circumstances, 'if the navy was to do anything, it was necessary to do it quickly.'⁷⁶² Only the Viceroy could force a vessel to remain after April, though any order only obliged 'any Officer up there to act as you wish, nor to comply with any requisition of the Resident, unless he, the Captain, agrees with him.'⁷⁶³ The Admiralty's reluctance was not without precedent. Between 1826 and 1842, the Gulf Squadron officer corps alone suffered thirty-two fatalities from climate and disease. The Gulf developed a reputation as a 'white man's grave'.⁷⁶⁴ Lord Curzon observed that 'political officers on the list of the Indian Foreign Office, or ship's officers in the service of the companies that navigate the Indian sea, hear with horror that they have been commissioned to what is spoken of, with a sort of grim personification, as the Gulf.'⁷⁶⁵ Charles Gonne noted in April 1866 that even Pelly's health would not 'I fear, stand another hot season in the Persian Gulf.'⁷⁶⁶ The very first PRPG John MacLeod had also succumbed to a fever

⁷⁶⁰ London, BL, India Office Records and Private Papers, Mss Eur F126/38, fols 56-60, Letter No. 928 of 1866 from Charles Gonne to Lewis Pelly, 4 April 1866

<https://www.qdl.qa/en/archive/81055/vdc_100024174347.0x000015>.

⁷⁶¹ London, BL, India Office Records and Private Papers, Mss Eur F126/43, fol. 99, Letter from Lewis Pelly to William Robert Vesey Fitzgerald, 9 May 1868

<https://www.qdl.qa/en/archive/81055/vdc_100024195009.0x000082>.

⁷⁶² BL, IOR/L/PS/18/B2/3, p. 10, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868

⁷⁶³ Ibid.

⁷⁶⁴ Onley, *Arabian Frontier of the British Raj*, p. 68.

⁷⁶⁵ Onley, *The Arabian Frontier of the British Raj*, p. 68 and *Persia and the Persian Question* (London: Routledge 2016), p. 466.

⁷⁶⁶ BL, Mss Eur F126/38, fols 56-60, Letter No. 928 of 1866 from Charles Gonne to Lewis Pelly, 4 April 1866

in 1822, cutting short any revisions to the General Treaty based on his observations of its deficiencies.⁷⁶⁷

These conditions meant that resources were only redeployed during crises, much to the chagrin of Pelly. In a letter to Frere's replacement William Vasey-Fitzgerald, he informed him that failure to fulfil their treaty obligations was 'due to HM's ships of the India Squadron being absent and [sent for the] suppression of the general slave trade on the coast of Africa.' He confessed his inability was because the 'Admiralty have not supported us.'⁷⁶⁸ This was not the first time he expressed frustration towards the decision to prioritise deployments along the East African coast. He lamented that 'I cannot even protect our own subjects on the littoral... [yet] it is evident that the Home Government approve their diplomatic officers interfering for the sake of Jews, foreign Christians and African tribes.' He reminded Bombay that only a 'short time ago I submitted to you that HM's ships of war in the Persian Gulf [*Highflyer*] left me with the Wahabbi envoys still on hand and some of our British subjects molested in order that she might proceed to Africa to protect the freedom of the African races.'⁷⁶⁹

As metropolitan condemnation of the East African slave trade grew, the Liberals made ending it a priority. Palmerston complained in 1860 that successive Boards of Admiralty had 'never cared a farthing about the suppression of the Slave Trade,' accusing them of considering it 'a sort of penal duty', sending only 'old tubs that were fit in their opinion for nothing else.'⁷⁷⁰ Despite Britain's increasing treaty obligations, the necessary naval resources to enforce either of their obligations were sorely lacking. After the Qatari-Bahraini War, Prinsep noted that a remedy needed to be found to secure maritime peace. If Britain did not 'show ourselves continually in sufficient strength to repress the disposition to resume the habits of their fathers and grandfathers, we must expect to

⁷⁶⁷ BL, IOR/R/15/1/30, fol. 80, Letter from Collin Mactavish to Henry Hardy, 20 September 1823.

⁷⁶⁸ London, BL, India Office Records and Private Papers, Mss Eur F126/43, fols 119-20, Letter from Lewis Pelly to William Robert Seymour Vasey Fitzgerald, 25 September 1869
<https://www.qdl.qa/en/archive/81055/vdc_100024195009.0x00009b>.

⁷⁶⁹ BL, Mss Eur F126/43, fol. 39, Letter from Lewis Pelly to Bartle Frere, 22 June 1866.

⁷⁷⁰ Cited in Lloyd, *The Navy and the Slave Trade*, p. 243.

see everything fall again into the same anarchy, and life by violence, that prevailed when we commenced our measures of repression.' He believed the duty fell upon Britain to keep the seas free and open to the legitimate commerce of their subjects.⁷⁷¹

Frere had warned Lawrence in 1865 that there 'will still remain the general question of the permanent maritime police of the Gulf, which cannot... be postponed, for I am very certain that we must not rely on the ships of [HMs] Navy for ordinary purposes.' He recognised that piracy was 'no modern evil' and its suppression depended upon the 'constant use of a naval force of small armed vessels, sufficiently strong to coerce any one tribe, or even all of them combined', but, he stressed, 'only to enforce treaty engagements, or just arbitration under treaty.'⁷⁷² Frere believed Britain succeeded because Trucial rulers knew they had no designs on their territorial independence. He worried that complacency would disrupt regional commerce and risk their lines of communication.⁷⁷³ Remarkably, Lawrence had agreed, remarking that 'Willoughby was always very strongly of the opinion that it was very unwise doing away with the Indian Navy altogether.' However, any new plan needed to be well-devised and not very expensive.⁷⁷⁴

Whilst Lawrence recognised the importance of maintaining the peace, he was unwilling to devote significant resources. It was for this reason that he had continued to subordinate the role of policing the region to the Royal Navy. The appeal of informal empire was that it came relatively cheap as political control was subordinated to indigenous agents within the local infrastructure.⁷⁷⁵ Under the Trucial system, the signatories had willingly consented to their maritime subordination in exchange for increased security on the pearl banks. According to Edward Shawcross, these informal relationships were maintained by gaining an 'inordinate influence or control over... weaker societies

⁷⁷¹ BL, IOR/L/PS/18/B2/5, fols 42-45, Zanzibar, Arabia and the Persian Gulf, 15 July 1868.

⁷⁷² BL, IOR/L/PS/18/B2/3, p. 10, Memorandum on the Drafts of Despatches regarding the Affairs of Muscat and Zanzibar, 15-20 July 1868

⁷⁷³ Ibid.

⁷⁷⁴ Ibid, pp. 19-20.

⁷⁷⁵ Alan Knight, 'Rethinking British Informal Empire in Latin America (Especially Argentina)', in *Informal Empire in Latin America: Culture, Commerce and Capital*, ed. by Matthew Brown (Hoboken: Blackwell, 2008), pp. 23-48 (pp. 34-35).

[through] gunboat diplomacy [and] ideological suasion.⁷⁷⁶ By the time of the Qatari-Bahraini War, Pelly was reduced to engaging in gunboat diplomacy without the gunboats.

Before any firm decisions, Pelly was able to demonstrate what the Residency could do with an effective deterrent. When Muhammad attempted to recapture Bahrain shortly after his expulsion, Pelly was able to deploy the HMS *Daphne*, HMS *Nymph*, the *Clyde* and *Hugh Rose*, which resulted in his expulsion.⁷⁷⁷ He was also able to contain the fallout from the death of the long-term Qasimi sheikh, Sultan bin Saqr. As his successors scrambled to carve up his possessions, Pelly prevented an assault against Ras al-Khaimah with the *Hugh Rose* and *Dalhousie*, which he used to order them to disperse immediately.⁷⁷⁸ Pelly was commended for his successes and Calcutta agreed to subsidise a Royal Navy presence in India. In return, the Admiralty provided six vessels for service under their control, three of which were detached for exclusive and regular service in the Gulf.⁷⁷⁹

From 1871 onward, Bushire was provided with at least two warships, though in 1882-1883 they had as many as six and in other years averaged anywhere between three and five vessels.⁷⁸⁰ Although it is unclear how much the Qatari-Bahraini War contributed to these decisions, it likely had some influence as British paramountcy had been undermined. Calcutta's reluctance to involve themselves in the internal divisions of the signatories continued to allow escalating domestic conflicts to spill into the waters of the Gulf. The artificial division between the internal and maritime spheres under the Trucial system continued to be penetrated. Without a sufficient naval deterrent, the PRPG was powerless to intervene before any significant violence. While officials argued over the merits of intervention outside of those posed by regional rivals, the deployment of British cruisers was crucial to Bushire's ability to uphold maritime peace.

⁷⁷⁶ Edward Shawcross, *France, Mexico and Informal Empire in Latin America, 1820-1867: Equilibrium in the New World* (London: Palgrave Macmillan, 2018), p. 16.

⁷⁷⁷ Lorimer, *Gazetteer of the Persian Gulf*, pp. 896-98.

⁷⁷⁸ *Ibid*, p. 760.

⁷⁷⁹ Rossiter, *Conflict and Cooperation in the Indo-Pacific*, p. 13.

⁷⁸⁰ BL, IOR/L/PS/20/C248B, pp. 6-7, Précis on Naval Arrangements in the Persian Gulf, 1906.

By the 1870s, the PRPG finally had sufficient force to ensure that the tranquillity of regional commerce could be protected. Bahrain's integration into the Trucial system was part of a broader effort to assimilate the region into the global economy. Although they had not necessarily answered the problem of Britain's fluctuating involvement in internal affairs, the Maritime Truces and the Friendly Convention were largely successful in reducing maritime violence – now the PRPG possessed a sufficient police force. However, these successes against maritime violence came with some unintended side effects. As the local economy – outside of Oman – began to stabilise under the security afforded by British mediation, their exports began to grow.

Central to this growth was an expansion of the pearling industry and date plantations for consumption in Western markets. As both were heavily dependent on slave labour, Trucial Arabia's integration into the global economy through the reduction of maritime violence drove the expansion of the slave trade. Just as they had struck a significant blow against one underlying logic of the Trucial system, they were now confronted with the consequences of their approach to the other. British officials were reluctant to interfere in these burgeoning industries as they feared any attempt would undermine their efforts to maintain the peace. As a result, Britain's uncomfortable relationship with Trucial slavery would finally be thrust into the metropolitan spotlight in the crisis surrounding the Fugitive Slave Circulars.

8.0 – The Trucial Slave Trade and the Fugitive Slave Circulars, 1868-1876

With the deployment of a reliable deterrent, maritime violence was significantly reduced, although not eliminated. Contraventions were inevitable, but British officials now had material resources to respond to significant crises and restore confidence in the mediatory role as maritime peacekeepers. However, the normative order was not completely stabilised as the spectre of slave trafficking continued to loom large. Although the Hamerton Treaty (1845) and Treaties of Engagement (1847) had officially terminated the northern Trucial slave trade from East Africa, a lack of provisions against the institution and clandestine networks of resistance undermined British efforts. Despite an increased naval presence, resources were still stretched thin. The continued reluctance to interfere with Trucial slavery ensured that demands for a supply of fresh slaves remained. Abolition continued to be deeply unpopular, threatening the authority and stability of local administrations who were obligated to acquiesce to British demands. Further solutions were necessary if officials wanted to strike a significant blow to slave traffickers, but their uncomfortable relationship with domestic slavery complicated matters. This would only be compounded further. Issues surrounding the receipt of fugitive slaves aboard British vessels would finally thrust Trucial slavery into a metropolitan spotlight. To explore this final phase of abolition through the Trucial system, we will examine the following:

Firstly, we will explore how the unfolding political crisis in Oman coincided with the final abolition of the East African slave trade. In doing so, we will demonstrate how declining political authority in Oman enabled British authorities to exploit internal divisions to advance their humanitarian agenda in an increasingly asymmetrical relationship. After Thuwaini's murder, Oman was plunged into a predictable decline along familiar fault lines as the al-Said of Muscat, Ibadi revivalists aligned with the al-Qais and the Wahhabis all vied for political control. Resistance to British imperial penetration and humanitarian impositions had continued since they had secured agreements in the 1840s,

flourishing among the collapse of central authority in Muscat. Against this tumultuous backdrop, 'new imperialists' in Bombay seized the initiative to exploit Omani political divisions to pursue a paternalistic intervention into Trucial politics and the establishment of indirect rule. In the process, they finally secured the total abolition of the East African slave trade.

Secondly, we will discuss how the British were divided over the issue of official protocols for dealing with fugitive slaves. This will allow us to highlight how the desire to avoid interference in the institution of Trucial slavery was beginning to be complicated by broader humanitarian priorities. After May Frere (1873) received a slave on board from a nearby pearling fleet, the Residency raised the question of how to properly dispose of him. This was not the first time British officials sought clarification of the protocols surrounding fugitive slaves. An earlier incident in 1849 had already prompted requests, but clear instructions remained confused by the 1870s. The PRPG and naval officers had been instructed to employ their discretion, but it was becoming clear that more definitive instructions were necessary. However, the resulting Fugitive Slave Circulars would prove highly contentious and Trucial slavery would be thrust into the metropolitan spotlight for the first time.

Thirdly, we will explore how the backlash against the Fugitive Slave Circulars led to a political crisis that introduced Trucial slavery to British abolitionists for the first time. Here we will demonstrate the power metropolitan public opinion held over Westminster and how the complicity of both the Liberals and Conservatives informed Whitehall's response to the crisis. When news of Circular No. 33 – dubbed the Fugitive Slave Circular – reached British abolitionists, a horrified backlash ensued. Newspapers and activists across Britain condemned the circulars as an endorsement of slavery, viewing the matter as one which transcended partisan politics. However, neither party could disavow themselves from responsibility for the crisis as both their governments sanctioned previous measures. Despite this, the Liberals were eager to exploit the situation, forcing Disraeli and Derby to

withdraw an abortive second Circular before deferring the matter to a newly established Royal Commission.

Finally, we will examine the Royal Commission from its initial investigation through to the presentation of its findings. Here we will establish how polarised doctrinal divisions between the Commissioners led to an eventual compromise designed to satisfy multiple stakeholders. For the first time, British officials in London were set to examine Trucial slavery in depth through a series of interviews and depositions of leading figures involved in the management of British interests in the region. Yet, divisions between the Commissioners led to contrasting interpretations of how international law should be applied. Familiar disagreements emerged between conservatives – who maintained the inviolability of sovereignty, and liberals - who prioritised the advancement of liberalised humanitarian ideals rooted in ‘natural law.’ The result was a compromise that satisfied these competing imperial visions but avoided threatening British paramountcy in Trucial Arabia and the institution of slavery.

8.1 – The Zanzibar Subsidy and the Treaties for the Abolition of the Slave Trade, 1868-1873

Despite successfully securing the Hamerton Treaty and Treaties of Engagement, the 1840s were a period of intense scrutiny of Britain’s global efforts against the slave trade. Politicians raised concerns about the costs of maintaining the West Africa Squadron as well as the high mortality rates and poor health among its crews. Although by 1848 this challenge was rebuffed in favour of the Royal Navy, the suppression of the slave trade remained a point of contention.⁷⁸¹ Resources in East Africa were even more thinly stretched. The Cape Station only employed an average of nine vessels

⁷⁸¹ Lindsay Doulton, *The Royal Navy’s anti-slavery campaign in the western Indian Ocean, c. 1860-1890: race, empire and identity* (unpublished doctoral thesis, University of Hull, 2010), p. 33.

between 1845 and 1860 and the Gulf fared little better.⁷⁸² Cruising was minimal during the 1860s.

Benjamin Reilly has described British efforts in Trucial Arabia as a 'well-intentioned failure', arguing that anti-slavery methods measures were 'decidedly modest in scale, and fairly easy for Arab and other slave-traders to bypass, evade, or thwart via legal technicalities.'⁷⁸³

British authorities knew the existing treaties were inefficient, but suppression of the slave trade was a secondary concern behind protecting commerce and securing maritime peace. Politicians professed concern, but if their modest provision of warships kept public opinion stable, there was little incentive to invest further resources towards a solution.⁷⁸⁴ A major catalyst in the transformation of the East African slave trade from a peripheral concern was the expeditions of David Livingstone and John Kirk. 'What we have seen of the slave-trade has thrown a gloom over all...,' Livingstone lamented. The 'sad slave-trade hangs like a pall over the whole.'⁷⁸⁵ Livingstone's vivid descriptions were reminiscent of earlier accounts of chattel slavery and the Middle Passage. Although his reputation had suffered after a series of disastrous enterprises by his death in 1873, the slave trade in East Africa could no longer be ignored.⁷⁸⁶

As condemnation of the slave trade in East Africa grew due to the success of Livingstone's accounts, the Liberals made ending it a priority. The HMS *Lyra* arrived at Zanzibar under Captain R.B. Oldfield of the Royal Navy in 1858, inaugurating a three-decade-long campaign against the slave trade, albeit with limited success. As Lindsay Doulton has highlighted, coverage flowed in a steady trickle and most reports came via telegraphic news agencies such as Reuters. This meant that while news became more widely spread, there was little variety in the way it was reported.⁷⁸⁷ Regardless, it was

⁷⁸² Ibid, p. 29.

⁷⁸³ Reilly, 'A Well-Intentioned Failure', p. 92.

⁷⁸⁴ Hazell, *The Last Slave Market*, pp. 9-10.

⁷⁸⁵ Charles Livingstone and David Livingstone, *Narrative of an Expedition to the Zambesi and Its Tributaries: And of the Discovery of the Lakes Shirwa and Nyassa. 1858-1864* (London: John Murray, Albemarle Street, 1865), pp. 591-92.

⁷⁸⁶ See Sjoerd Rijpma, *David Livingstone and the Myth of African Poverty and Disease: A Close Examination of His Writing on the Pre-colonial Era*, trans. von Stolk, R. (Leiden: Brill, 2015).

⁷⁸⁷ Doulton, 'The Royal Navy's anti-slavery campaign', pp. 256-57.

clear that a permanent solution was necessary to finally stamp out slave trafficking at Zanzibar, but this was intimately tied to events unfolding in Oman.

Table 8.0 – List of Omani Sultans since the death of Said bin Sultan.

Name	Reign	Notes
Thuwaini bin Said	1856-1866	Murdered by his son Salim.
Salim bin Thuwaini	1866-1868	Deposed by Azzan bin Qais.
Azzan bin Qais	1868-1871	Killed at Muttrah. Member of the al-Qais branch.
Turki bin Said	1871-1888.	Fifth son of Said bin Sultan.

Lorimer, *Gazetteer of the Persian Gulf*, p. 477, 482 and 492.

Since Thuwaini's murder, Oman had undergone a tumultuous period of internecine conflict divided along familiar lines (See Table 7.1). Despite his involvement in his father's death, the British had decided to recognise Salim bin Thuwaini as Sultan and his entitlement to the Zanzibar subsidy.⁷⁸⁸ Majid was forced to resume payment, but despite British recognition, Salim's survival depended on his 'unceasing conciliation of the combination which has brought him to power', which included the Wahhabis.⁷⁸⁹ Their support made him deeply unpopular among the Ibadi tribes of the interior. When Azzan bin Qais marched on Muscat, the British withdrew to their vessels.⁷⁹⁰ The upheaval severely damaged Muscat's economy. Almost as immediately as he had agreed to begin repayments, Majid again refused.⁷⁹¹ More alarmingly, Azzan's minister Said bin Khalfan al-Khalili was determined to reform the customs administration, which was dominated by British Indians. When Azzan's government refused to repay its predecessor's debts, merchants turned to the British, who refused to intervene.⁷⁹² They argued that any advances 'have been made at their own risk.' Starved of revenues and the subsidy, Oman found itself with an empty treasure and very little means of financing its administration.⁷⁹³

⁷⁸⁸ BL, IOR/L/PS/18/B2/5, fols 42-45, Zanzibar, Arabia and the Persian Gulf, 15 July 1868.

⁷⁸⁹ Kelly, 'Prevalence of Furies', p. 113.

⁷⁹⁰ Jones and Ridout, *A History of Modern Oman*, p. 78.

⁷⁹¹ Lorimer, *Gazetteer of the Persian Gulf*, p. 490.

⁷⁹² Fahad Ahmad Bishara, *A Sea of Debt: Law and Economic Life in the Western Indian Ocean, 1780-1950* (Cambridge: Cambridge University Press, 2017), pp. 110-11.

⁷⁹³ *Ibid*, p. 111 and Landen, *Oman Since 1856*, pp. 312-13.

Salim's ascension coincided with the growing divisions within the British Indian administration. 'New imperialists' like Frere condemned granting recognition to a parricide, while proponents of 'masterly inactivity' were reluctant to interfere. Despite this, the collapse of the Omani economy under Azzan was deeply concerning. The prospect of a Wahhabi invasion in 1870 finally convinced Bombay to support Turki bin Said – who lived there in voluntary exile, facilitating the transfer of \$MT 80,000 from his brother Majid, who encouraged the return of Muscat to their branch of the family.⁷⁹⁴ Captain Atkinson, the Muscat Agent, informed his superiors that he believed if Turki were allowed to return, he would be welcomed, and Bombay was inclined to agree that his election would be far more beneficial to British interests.⁷⁹⁵ Turki landed in Oman and by January 1871, Azzan was killed in a skirmish at Muttrah.⁷⁹⁶

The new Viceroy, Lord Mayo, was furious, protesting angrily to London at the deliberate secrecy of Bombay's actions. Officials had declined to pass on any reports to Calcutta until the coup d'état had proven successful. Although he had disapproved of Azzan's regime, the departure from his more reserved frontier policy enraged him to demand Bombay be firmly subordinated to him.⁷⁹⁷ Despite these differences, both parties recognised Oman required more direct support to secure a receptive representative in Muscat.⁷⁹⁸ The protracted period of instability following Said's death in 1856 had a deleterious impact on British efforts to effectively suppress the slave trade. Anti-abolitionist sentiment had formed a significant element of the Ibadi revivalist opposition due to the penetration of European ideas and economic marginalisation.⁷⁹⁹

On 15th June 1858, a massacre of Europeans occurred in Jeddah, leaving twenty-two people dead, partially in response to resentment over efforts to suppress slave trafficking.⁸⁰⁰ Pelly had visited

⁷⁹⁴ Bishara, *A Sea of Debt*, p. 113.

⁷⁹⁵ Cited in Ravinder Kumar, *India and the Persian Gulf Region, 1858-1907: A Study in British Imperial Policy* (New York: Asia Publishing House, 1965), p. 45.

⁷⁹⁶ Pouwels, *Horn and Crescent*, p. 135.

⁷⁹⁷ R.J. Gavin, 'The Bartle Frere Mission to Zanzibar, 1873', *The Historical Journal*, 5:2 (1962), 122-48 (p. 131).

⁷⁹⁸ *Ibid.*

⁷⁹⁹ See Kelly, 'A Prevalence of Furies', pp. 107-44.

⁸⁰⁰ See W.L. Ochsenwald, 'The Jidda Massacre of 1858', *Middle Eastern Studies*, 13:3 (1977), 314-26.

Riyadh to 'remove from the mind of the Amir any feelings of animosity which our Anti-Slavery proceedings on the East Coast of Africa' had left on his mind.⁸⁰¹ He noted that Faisal appeared 'sincere in his profession of wishing to work in unison with me for the general peace' but when he had raised the matter of slavery, Faisal's manner had entirely changed, 'becoming abrupt and almost hostile.' The Amir spoke of Britain as 'successful pirates' and laughed at their notions of philanthropy. His secretary spoke to Pelly and intimated that they ought to enter into an agreement whereby the Arabs of Oman, Sur and the Persian Gulf were 'exempted from our slave piracy' under the same considerations afforded to the Sultan of Zanzibar. Pelly 'rebuked his manner', offering an absolute refusal of his request, but he could 'see that the scoundrel's mind was full of mischief.'⁸⁰²

Although Pelly believed the request was outrageous, a curious alliance between Azzan bin Qais, Faisal and the Ibadi *mutawiah* emerged through a common detestation of British restrictions. The loss of Zanzibar was deeply unpopular among the Ibadi revivalists. It was viewed as a demonstration of Thuwaini's weakness and increasing dependence upon his British allies for material support. Several dozen dhows from Southern Oman and Wahhabi territory were seized during the 1861-1863 trading season, while Majid had also made it even more difficult for them to smuggle slaves from his dominions.⁸⁰³ As demonstrations in Zanzibar harbour during Rigby's tenure had highlighted, the 'northern Arabs' comprised chiefly of residents from southern Oman, specifically those of the Bani Bu Ali tribe and the port of Sur. He estimated that despite his best efforts, 'not even one per cent of the slaves taken north every year is captured by British cruisers.'⁸⁰⁴ In March 1861, he wrote that the harbour 'at present [is] full of dhows... belonging to the piratical Arabs of the Persian Gulf, who come here every year at this season, solely for the purpose of stealing children and slaves.' Rigby

⁸⁰¹ Sir Lewis Pelly, *Report on a Journey to Riyadh in Central Arabia, 1865* (Cambridge: Oleaner Press, 2013), p. vii.

⁸⁰² *Ibid.*, p. 53.

⁸⁰³ Kelly, 'A Prevalence of Furies', p. 112.

⁸⁰⁴ *Ibid.*

complained they were 'the terror of the inhabitants' and estimated between 5,000 and 6,000 slaves were taken each year 'by these pirates.'⁸⁰⁵

Alarming, recently, many had assembled near the American Consulate, locking the Consul in his house, while others 'went through the town brandishing drawn swords, and calling out that they wanted the blood of a white man.'⁸⁰⁶ The culprits were chiefly dhows that were the property of the Qawasim, Bani Bu Ali or Sur. Captain Oldfield begged Majid to 'deliver over to me, or authorise me to seize and destroy' their vessels.⁸⁰⁷ Remarkably, the men attacked the *Lyra* and carried away as many as 500 slaves. Majid responded by declaring them 'thieves and rogues' and authorised Britain to act on his behalf.⁸⁰⁸ Oldfield informed the remaining dhows that if they did not leave the harbour by noon, he would seize them.⁸⁰⁹ In the absence of any effective means of suppression, subjects of the signatories remained deeply invested in the clandestine Trucial slave trade. Although estimates vary, Paul Lovejoy estimates that the export trade to the north had grown drastically during the 1850s and 1860s, rising from 40,000 during the 1840s to 65,000 with a retention rate of 142,000.⁸¹⁰

⁸⁰⁵ *British and Foreign State Papers, 1862-1863*, 53 (London: William Ridgway, 1868), p. 1223.

⁸⁰⁶ *Ibid.*

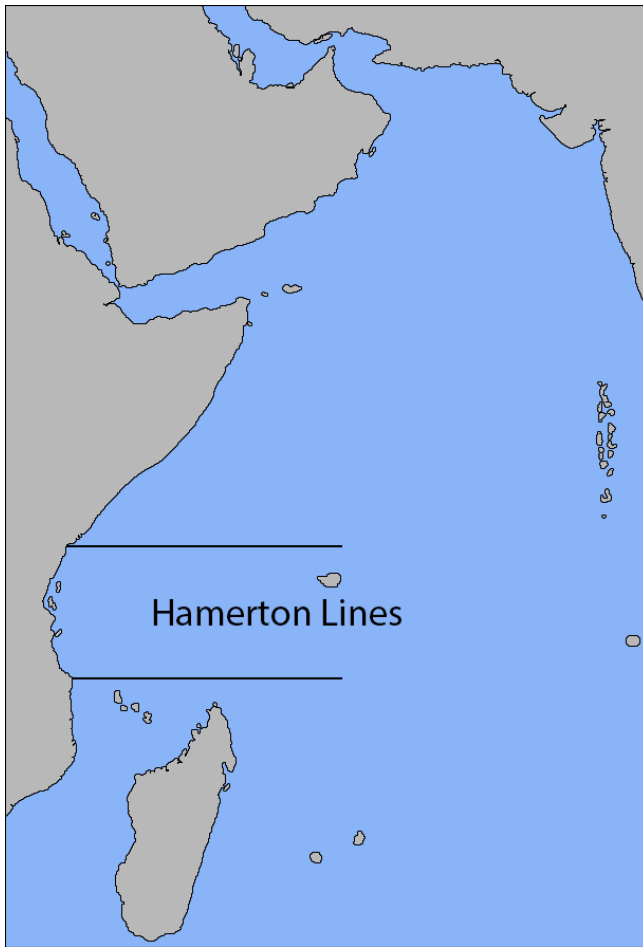
⁸⁰⁷ *Ibid* pp. 1224-25.

⁸⁰⁸ *Ibid* pp. 1225-26.

⁸⁰⁹ *Ibid* pp. 1226-27.

⁸¹⁰ Paul Lovejoy, *Transformations in Slavery: A History of Slavery in Africa, Second Edition* (Cambridge: Cambridge University Press, 2000), pp. 151-58.

Map 8.0 – The Restrictive Boundaries under the Hamerton Treaty (1845)



Turki's succession in Oman coincided with Majid's death and the ascension of his half-brother Barghash, but when he was approached to resume the Zanzibar Subsidy, he refused. This presented Bartle Frere with the opportunity to kill two birds with one stone. Firstly, if Britain assumed responsibility for financing Muscat directly, they could not only stabilise Turki's income but also acquire significant leverage over him to enforce compliance. Secondly, they could leverage the withdrawal of the burden from Zanzibar in exchange for Barghash's cooperation in the abolition of the slave trade. The boundaries of the Hamerton Treaty were beginning to be recognised as a significant barrier to the suppression of the Trucial slave trade, even if the northern traffic was illegal

(See Map 8.0). One solution to slave trafficking was the strangulation of the source to create a 'slow death' by cutting off its sources of slave labour.⁸¹¹

This method had previously been deployed, with some success, by the West Africa Squadron, which informed a growing prioritisation for targeting Zanzibar over Trucial Arabia. Men such as Livingstone were strong supporters of the principles of free labour, believing that the slave trade could be strangled by alternative commerce.⁸¹² The formulation of the new policy was transferred to London under a committee representing the Colonial, Foreign and India Offices and the Admiralty. Their proposal included limited slave trading at Zanzibar under a gradual reduction to nil, the transfer of the Zanzibar Subsidy to be jointly paid by the Foreign and India Office and an expansion of the Zanzibar Consulate.⁸¹³

Barghash was predictably hostile to British advances, declaring that a 'spear is held at both my eyes, which shall I choose to be pierced? Either way is fatal for me...'⁸¹⁴ Not only were his subjects deeply invested in the slave trade, but a cyclone had also struck Zanzibar in 1872, which destroyed their clove plantations. He believed any attempt to abolish the traffic would only invite hostility and place his position under substantial threat.⁸¹⁵ Following this rebuff, the Frere travelled to Muscat to negotiate as London signalled their commitment to the total abolition of the slave trade. Turki, already under increasing pressure from Azzan's brother Ibrahim and the deposed Salim, was in no

⁸¹¹ 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. 124 and Roger S. Clark, 'British Anti-Slave-Trade Treaties with African and Arab Leaders as Precursors of Modern Suppression Conventions', in *Histories of Transnational Criminal Law*, ed. by Neil Bositer, Sabine Gless and Florian Jessberger (Oxford: Oxford University Press, 2021), pp. 128-37 (p. 130).

⁸¹² Tim Dowley, *Introduction to the History of Christianity: Third Edition* (Minneapolis: Fortress Press, 2018), p. 521.

⁸¹³ Zahlan, *The Making of the Modern Gulf States*, p. 109.

⁸¹⁴ Cited in Lady Genesta Hamilton, *Princes of Zinj: The Rulers of Zanzibar*, (London: Hutchison, 1957), p. 142.

⁸¹⁵ Saada Omar Wahab, 'Emancipation and Post-emancipation in Zanzibar', <https://www.codesria.org/IMG/pdf/3-_transition_from_slavery_emancipation.pdf?8373/ce9e9117d611427b22ffc8e0feb1fa084a33c8cb>, p. 48 [accessed on 20th January 2020].

position to decline Frere's terms. On 14th April 1873, he declared that the traffic of slaves was 'entirely forbidden' in his dominions and territories and all markets were to be banned.⁸¹⁶

With Turki's submission, Frere returned to Zanzibar and under the threat of bombardment, Barghash relented in exchange for the transfer of the Zanzibar Subsidy to British authorities. Frere's treaties officially abolished slave trading between East Africa and Trucial Arabia, marking the end of a fifty-year process begun with the General Treaty (1820). The collapse of Oman in 1856 created an opportunity for the 'new imperialists' to expand Britain's influence. The transfer of the Zanzibar Subsidy greatly expanded their collaborative relationship, simultaneously increasing the asymmetrical power balance between the pair. Each Sultan was effectively forced into acquiescence because of their respective political positions. Neither could afford to effectively resist the British and had little choice but to surrender their long-term autonomy in exchange for short-term political expedience.

Although the treaties had effectively made the slave trade illegal, they did nothing to address their continued reluctance to interfere in the institution itself. British officials continued to enjoy a complex and contradictory relationship with domestic slavery, which they categorised as benign. Reticent that displays of overt imperial penetration had so recently inspired the ire of locals, officials were reluctant to interfere. This was a position they had been able to maintain in relative comfort since the 1820s as Trucial Arabia had remained a relatively mysterious space among critical circles in Britain. However, British authorities would be forced to confront the spectre of 'benign' slavery and non-intervention would take centre stage in the Fugitive Slave Circular's crisis.

⁸¹⁶ See Appendix - Treaty for the Abolition of the Slave Trade, 14th April 1873.

8.2 – Fugitive Slaves in the Persian Gulf, 1849-1873

As Sultan Barghash relented to pressure to prohibit slave trading at Zanzibar, the first pearl season since its official abolition in the Gulf was well underway. Towards the end of the season, the HMS *May Frere* anchored near the pearl banks between Abu Dhabi and Doha. A slave named Joah leapt into the water and swam towards the *May Frere*, where he begged for British protection. Captain Guthrie deferred to his passenger the Assistant PRPG Charles Grant, who granted him asylum. He believed that after being admitted on board, he was on British soil and therefore entitled to the protection of British law. When news reached the pearling boats, they immediately put to sea in case the British 'discovered there were slaves on board... or else to give the slaves a long[er] swim for it if they were determined to try their luck.'⁸¹⁷

Guthrie departed for Bahrain, informing PRPG Edward Charles Ross that the 'foundation of the maritime truce was peace at sea and protection to pearl boats.' It would be awkward, he continued, if the cruisers 'found out that one-third of the boat's crews were slaves, and if he seized them on account of the head money he would be entitled to... quoting as precedent the *May Frere*.'⁸¹⁸ Once again, the balance between the pragmatic maintenance of British paramountcy and their humanitarian commitments would be tested. Ross wrote to Bombay, warning that as most of the diving was carried on by slaves, providing refuge on board British vessels threatened to cause a 'general feeling of consternation and disgust.' He worried they would 'no longer be looked on as the friendly protector of the maritime Arabs,' but instead as oppressive interlopers.⁸¹⁹

⁸¹⁷ *Accounts and Papers*, (London: 1876), 70, p. 3.

⁸¹⁸ *Ibid*.

⁸¹⁹ *Royal Commission on Fugitive Slaves, Report of the Commissioners: Minutes of the Evidence* (London: George, 1876), p. 165.

Officials in the Admiralty worried that if runaway slaves were afforded refuge on British vessels, their masters would be 'entirely ruined' and much 'mistrust and hatred... would be occasioned.'⁸²⁰ These anxieties were understandable, given they had only recently re-established a consistent naval deterrent and absconding debtors on the pearl banks already caused disputes. 'Trivial cases of aggression' were not uncommon, but they were 'almost invariably due to the absconding of indebted drivers or other pearl operatives from the jurisdiction of one Sheikh to that of another.'⁸²¹ Although the Absconding Debtors Agreement (1879) would largely resolve these problems, it would not be implemented for another six years. The more visible presence of British cruisers in the aftermath of the Qatari-Bahrain War would only complicate matters further if a precedent for asylum was established.

Guthrie's request for clarity was informed by a pressure to, as Caroline Shaw notes, 'systematize official responses to fugitives from legal slavery [which] was connected in all respects to local exigencies in and around Zanzibar.'⁸²² In the Gulf, fugitive slaves had already escaped onboard naval vessels for decades, but their response was largely dictated by their official commitments to non-intervention.⁸²³ The existing protocol was established during the case of *Sir Charles Forbes* (1849) when a slave boarded and engaged himself in their service. After the Governor of Bushire pressed PRPG Samuel Hennell, he ordered his restoration and the captain returned him under protest. Hennell wrote to Bombay that 'while in Persia [we are] bound to take things as we find them.'⁸²⁴ Ross ultimately informed Bombay that he had sent Joah to the 'Commissioner of Police [of Bombay],

⁸²⁰ Ibid, pp .167-68.

⁸²¹ Lorimer, *Gazetteer of the Persian Gulf*, pp. 697-98.

⁸²² Caroline Emily Shaw, 'Recall to Life: Imperial Britain, Foreign Refugees and the Development of Modern Refuge, 1789-1905' (unpublished doctoral thesis, University of California, 2010) <<https://escholarship.org/uc/item/8219g6tg>>, p. 159.

⁸²³ William Mulligan, 'The Fugitive Slave Circulars, 1875-76', *The Journal of Imperial and Commonwealth History*, 37:2 (2009), 183-205 (p. 186).

⁸²⁴ *Royal Commission on Fugitive Slaves*, p. 209.

whom I have requested to solicit [your] instructions... as to his disposal.⁸²⁵ Bushire passed responsibility for a conclusion up the chain of command to their superiors.

The question of disposal was proving to be a serious problem. Francis Fleming observed during his tenure in the Seychelles that British officials were landing freed slaves to be indentured 'like the Coolies' into fixed-term contracts.⁸²⁶ Others were redeployed, half of the reported two thousand sent to Bombay in 1864 were employed onboard British vessels.⁸²⁷ Not all African sailors were legitimately liberated under existing treaties, some were also runaways who were often expected to return to the destinations they had fled. As the institution of slavery was still legally sanctioned, locals were unlikely to submit to British 'merchant ships and steamers... being made an asylum for every dissatisfied or runaway slave who may seek refuge of them.' Hennell believed their intercourse with 'their fellow-countrymen on shore, in a state of slavery' would lead many to seek the 'comparative liberty and independence of a paid coal trimmer.' Should asylum be granted, similar cases would 'in all probability, happen frequently.'⁸²⁸

Bombay agreed, reiterating that British commanders could not 'detain a slave on board against the consent of the owner' and if they refused to deliver them up, the PRPG should enforce it. They concluded that as odious as slavery may be, officers 'while in countries which permit it, must respect their laws.'⁸²⁹ Although Bombay's instructions were clear, the matter was far more complicated. On 28th March 1854, PRPG Arnold Kemball reported that a former slave had deserted his post and absconded from his duties aboard the steam frigate *Akbar*. Upon landing in Bushire, he visited his family, who persuaded him to desert.⁸³⁰ As a sizable portion of the crew were former slaves, Kemball requested instruction as to whether he could officially demand their restitution if they 'be

⁸²⁵ *Accounts and Papers*, (London: 1876), 70, p. 5.

⁸²⁶ See Hopper, *Slaves of One Master*, pp. 169-180 and *Royal Commission on Fugitive Slaves*, pp. 17-18.

⁸²⁷ Hobbs, Mark Hobbs, 'Between Freedom and Slavery: The Employment of Runaway Slaves in the Indian Navy', *Qatar Digital Library* <<https://www.qdl.qa/en/between-freedom-and-slavery-employment-runaway-slaves-indian-navy>> [accessed on 3rd February 2017].

⁸²⁸ *Royal Commission on Fugitive Slaves*, p. 209.

⁸²⁹ *Reports from Commissioners, Inspectors and Others: Fugitive Slaves* (London, 1876), 28, p. 209.

⁸³⁰ *Ibid*, pp. 209-10.

recognised and claimed by [their] former master' after already having escaped and entered service.⁸³¹

In the case of *Sir Charles Forbes*, the slave in question had also engaged himself in the service of the captain. This begged the question: when did a runaway slave become free and when was he no longer liable for reclamation? The Advocate-General reaffirmed that slaves in countries where domestic slavery was considered lawful were liable to re-enslavement should they be reclaimed. While the PRPG could use his good offices to procure their return in the absence of a formal treaty, he could neither demand nor insist upon their restitution. Lord Elphinstone's opinion was that 'as the men are by our laws free when they land on British soils... it would not be consistent with the spirit of our laws to give them up to their former masters.' The protection of the British flag 'ought to cover them as long as they serve the Indian Navy whether they are afloat or on shore, whether on duty or on leave.' However, anyone who voluntarily withdrew themselves forfeited their rights. 'In the case of a fugitive slave desert, he may, I think be justly held to have forfeited his claim to protection.'⁸³²

After referral to Calcutta, Mr Lumsden wondered 'if it were either necessary or expedient to law down an invariable rule.' As such incidents were infrequent, he believed officers must 'in many cases exercise a discretionary power of acting according to the circumstances' and it was inadvisable to 'limit the free agency of our officers in demanding the surrender even of deserters.' Where deserters voluntarily resumed bondage, he believed there was no right to demand his surrender. In these circumstances, the title 'which either party possesses to his allegiance and the duty to which they are under of giving him protection rest on the same basis, his own act and choice.'⁸³³ They informed Bombay that so long as a slave who successfully absconded to Bombay was in the service of the Indian Navy, he was entitled to protection. He could not be detained against his will and 'there

⁸³¹ Ibid, p. 210.

⁸³² Ibid.

⁸³³ Ibid.

would be no right to detain a member of such a crew upon his landing, upon the ground of his having formerly been a slave.' Independent of any treaty, there was an implied authority for the public ships of one nation to enter the ports of a friendly power and for their crews to enter their country for business or relaxation. If they deserted, it depended on the laws of the country in which he was found, whether he could be given up or not.⁸³⁴

Under these protocols, a fugitive slave's right to self-determination or their master's claims towards them was predicated on where they had entered British service. Those who successfully escaped to India were granted the protection of the flag and those who did not continued to be considered the rightful property of their master. This was an entirely arbitrary distinction; former masters were understandably reluctant to acknowledge that their claims only extended as far as their ability to prevent their slaves from absconding. British authorities had simultaneously created a loophole through which fugitive slaves could enter their service while continuing to refrain from being viewed as providing asylum aboard their vessels. Unsurprisingly, it would not be long before the British were forced to revisit the problem. In 1858, the *Clive* was anchored off Bahrain when a slave secreted himself on board one of the ship's boats, before subsequently being taken on board. The Shaikh of Bahrain applied to the Assistant PRPG Lt. Disbrowe for his surrender, who in turn instructed Commodore Jenkins to give him up under protest.⁸³⁵

The similarities with *Sir Charles Forbes* were not lost upon PRPG James Felix Jones, who remarked he 'signified [his] approval in every sense' of Disbrowe's actions. He noted that the Trucial system was designed to eradicate slavery 'by conciliatory and progressive measures, rather than by systematic domination.' Given that their existing treaties only conceded to him the right to liberate newly imported slaves, he believed they had no rights over those already enslaved. To 'shelter runaways of this description...in the harbours of the friendly power, which has to us conceded a great point,

⁸³⁴ Ibid, pp. 210-11.

⁸³⁵ Ibid, pp. 211-12

would endanger the stability of the treaty.’ He believed further concessions would likely be rebuffed because they had taken undue advantage of the previous ones, which risked their aims becoming frustrated, instead of forwarded ‘by indiscreet acts.’⁸³⁶ Although Jones was an ardent abolitionist, he reiterated concerns that any interference would undermine their existing efforts against the slave trade.

Commodore Jenkins’ position reflects those of Lord Elphinstone. He argued that the ‘laws of our country [and] the custom that prevails, a slave becomes free the moment that he stands on British ground, or on the deck of a British ship of war.’ He protested, in vain, that he felt it ‘thus my duty to address you, and to urge that no expediency should supplant the laws of our land, or induce a public officer to adopt any measure that does not uphold the honour of our Queen and country.’⁸³⁷ Despite these emotive pleas, Advocate-General Arthur Lewis was ‘of the opinion that the view taken of the subject by [Disbrowe]... is the correct view.’ If a slave set foot on a ship, which was considered British soil, he is free and could not legally be delivered to his claimant. However, he clarified that such a ship must be ‘either within British waters or... the high seas.’⁸³⁸ As the *Clive* was in Bahraini waters, the slave was subject to their laws.

British policy by the time of the *May Frere* was entirely predicated on political expediency. Slaves who were able to escape beyond the jurisdiction of their masters were provided with the opportunity for protection, while the British ensured their vessels remained entirely neutral in the waters of their signatories. This allowed officials to pursue their moral obligations without violating the territorial sovereignty of the Trucial signatories or the terms of their existing treaties. The developments were reflective of a largely discretionary approach to matters in Trucial Arabia, underpinned by the existing political orthodoxy, which emphasised a commitment to non-

⁸³⁶ Ibid, p. 211.

⁸³⁷ Ibid, p. 212.

⁸³⁸ Ibid, p. 212.

interventions. Although these norms were increasingly beginning to be challenged by ‘new imperialists,’ the penetrability of the institution of slavery was still closely guarded.

Officials who were more willing to sanction direct interference in domestic politics still harboured significant fears over any intrusions into the domestic sphere. Even though they were convinced that the official elimination of the slave trade would lead to a ‘slow death’ of Trucial slavery, they remained reluctant to interfere prematurely. Although they had terminated the East African slave trade as a legal enterprise through their treaty with Barghash, the institution itself remained entirely legitimate. The intimate and significant roles slaves played in the local economy and the informal nature of British paramountcy, meant officials were reluctant to provoke hostility. Yet, these discretionary powers deprived naval commanders of clear instructions, as their successors could easily reverse or contradict the protocols of the existing incumbent. As the metropolitan spotlight fell upon the Gulf, this *laissez-faire* approach was no longer a luxury they could afford.

8.3 – The Fugitive Slave Circulars and British Abolitionism, 1875-1876

Although Lewis’ clarification was intended for use in the Persian Gulf, Britain’s global position reflected a similar ethos in the 1870s. Off the coast of Madagascar, the *Nymph* and *Dryad* had carried off and liberated several domestic slaves who had swum to them. Lord Clarendon informed the Admiralty that the commanders were not justified in sailing away with the slaves as the institution in Madagascar was still acknowledged as lawful. Their owners were therefore entitled not only to their return, but also compensation for losses incurred by their abduction. Had the cruisers been in neutral waters, the case would have been different, but given their actions were in Madagascar waters, they had deprived them of their lawful property.⁸³⁹ The only exceptions were

⁸³⁹ Ibid, p. 182.

cases where officers had reason to believe the slaves had been recently imported in contravention of treaty obligation. In these cases, they could forward the matter to the appropriate Consul. Officers who carried them off without authorisation were doing so at their own risk and responsibility.⁸⁴⁰

The East Indies Stations Orders (1871) reiterated this position, confirming that slaves captured within the territorial waters of Zanzibar should be returned, while those without could be retained and liberated. In the same year, PRPG Lewis Pelly reported that the *Maggie* had recently laid anchor near Bushire when two slaves boarded the vessel. A few evenings later, another group of slaves attempted to board the *Bullfinch*, but the commander obeyed protocol and refused to receive them on board. The proximity of these events encouraged Pelly to request further clarification before he acted. As the Gulf was a narrow sea, he wondered whether this gave 'riparian powers territorial or other jurisdiction thereon beyond the distance of a sea league from the shoreline', or whether it should still be considered the high sea. He also requested clarification on whether ships of war, which he differentiated from private vessels, would be authorised to refuse to return any slaves who boarded them inside territorial waters.

Pelly was informed that the Gulf had never been treated diplomatically as a narrow sea and although he had no obligation to receive fugitive slaves on the high sea, they were to be considered free. Crucially, he was instructed that warships in territorial waters were not only authorised to refuse to return fugitive slaves but also that they would incur 'very serious legal responsibilities if [they] in any way attempted to coerce that slave to return to his master.'⁸⁴¹ These contradictions ensured that the incident aboard the *May Frere* demanded urgent clarification. Ross was informed that as the episode involved 'very important considerations of international law', it was forwarded to London. While they waited for a response, Viceroy Lord Northbrook believed that vessels that were not national

⁸⁴⁰ Ibid, p. 187-88.

⁸⁴¹ House of Commons, *Reception of Fugitive Slaves—The Circulars* (27 February 1876, vol 277, col 731) (London: Hansard)

ships, but the property of private owners, were to be considered subject to the law of the state whose jurisdiction they were in. Under these circumstances, private British vessels were not justified in refusing to deliver fugitive slaves once a demand had been made. Vessels of war, however, were considered to have 'certain privileges within the local jurisdiction of a foreign nation' and although authorities had not been explicit on the subject, Northbrook believed these privileges did not set aside the law of countries to the 'injury of the inhabitants thereof.'⁸⁴²

Northbrook suggested a set of provisional protocols. Firstly, ships residing in foreign territories should not receive domestic slaves on board unless their lives were in danger. Secondly, they should return any slaves to their rightful owners once a proper demand was made. Finally, ships that were technically on the high seas and were brought into contact with owners of domestic slaves should avoid receiving any on board. If they did come on board, the commander should exercise discretion on whether to return him or set him at liberty. As the *May Frere* had received Joah near an uninhabited island, Northbrook considered it was on the high seas and Grant was justified to set him at liberty. He did not believe that the position of pearl fisheries themselves granted them any sort of national character.

Eager to clarify London's official position, Robert Bourke wrote to the Admiralty that they had recommended that fugitive slaves only be temporarily received on board 'if his life would be endangered if he were not allowed to come on board.' Bourke was eager to ensure that commanders did not 'encourage or assist a breach of the law of that country' and only acted to protect a person breaking such a law from immediate harm. He argued that any contrary rule would lead to 'endless disputes and difficulties' and in extreme circumstances, the 'whole slave portion of the crews of vessels engaged in the pearl fishery... might take refuge on board British ships.'⁸⁴³ Given the potential threat to British paramountcy, any slave retained on board, even upon the high seas,

⁸⁴² *Royal Commission on Fugitive Slaves*, pp. 166-67.

⁸⁴³ *Ibid*, pp. 167-68.

henceforth ought to be surrendered where a claim had been made against him. The only viable claim for protection was that they were imported recently in violation of the Trucial system, so long as an inquiry into the validity of their claim could be established.

The Admiralty believed officers should avoid misleading slaves into believing they would *de facto* find themselves at liberty if they could get on board British vessels. Officers were to take care not to mislead slaves into believing they would find themselves at liberty if they could get aboard, nor to view them as an alternative form of employment when docked at port. Foreign Minister Edward Stanley, 15th Earl of Derby, ordered the Admiralty to circulate orders to this effect, resulting in Circular No. 33 or the Fugitive Slave Circulars.⁸⁴⁴ Officials had hoped to finally put the matter to bed, but for the first time, Britain's uneasy relationship with Trucial slavery was thrust firmly into the metropolitan spotlight. Since the 1810s, observers and officials reconciled their commitment to abolition through an emphasis on the comparative 'benignity' of domestic slavery. This was not a distinction that British abolitionists were willing to recognise.

Three months after the first Circular was issued, the British and Foreign Anti-Slavery Society (BFASS) addressed a protest directly to the Admiralty, expressing their 'profound regret that certain instructions have been issued requiring naval officers to surrender fugitive slaves to their masters.' They believed since *Somerset* (1772) a slave on board a British ship of war was 'absolutely free and the property of no man' and that they were 'alarmed for the cause of humanity' if the 'settled policy of the nation [were] to be reversed.' They informed officials they could not 'shut our eyes to the fact that [the Circulars] afford a moral support and give the direct sanction of this country to slavery.' They urged an immediate repeal of the 'obnoxious regulations' and in the face of growing condemnation from the public, the Circular was hastily withdrawn and Disraeli's government hastily regrouped.

⁸⁴⁴ Edward Stanley was the son of Palmerston's rival Edward Smith-Stanley, 14th Earl of Derby.

Viscount Palmerston had recognised that foreign policy was vulnerable to press campaigns that appealed to patriotic prejudices. As John Darwin notes, the worst that could happen was 'that the affairs of a colony should attract public attention.' If a cause 'touched the nerve of Victorian morality', such as slavery, it could 'spark off an uproar.' Colonial officials could be 'rebuked, or even dismissed if they exceeded their powers' or tolerated slave trafficking or slavery.⁸⁴⁵ Ministers frequently complained about the 'unpredictable shifts and swings of public opinion', which struck them in the 'echo chamber' of the House of Commons with its 'crowd psychology.' Ministers often struggled to survive in the Commons, so much so that 'political expediency usually trumped loftier official circulations.'⁸⁴⁶ Although the Circulars were deeply unpopular in Britain, they were not a dramatic departure from the pragmatism which had largely informed their actions in the colonies. Britain's dedication to suppression had always coexisted with respect for the domestic laws of foreign countries. However, as Richard Huzzey notes, the problem was that they had 'violated the boundaries of moral responsibility for many... editors whose readers could find active complicity rather than resigned distance in the government's position on abandoning stowaways.'⁸⁴⁷

Neither the Conservative government nor their Liberal opposition could deny any complicity in the affair. Both parties had issued various instructions to naval officers in the Gulf during their oscillating tenures. In London, there was a false assumption that officers had always exercised their discretion, but as the examples of *Sir Charles Forbes* and *Akbar* demonstrate, clarification had been sought from as early as 1849. The contentious issue had been brewing for twenty-five years before the Circulars ignited the ire of public opinion. British officials had been able to maintain their uneasy relationship with Trucial slavery largely due to its comparative absence in the metropolitan public conscience. While Arab involvement in East Africa was well publicised by men like David Livingstone, Trucial Arabia rarely excited the attention of abolitionists. While the Liberals exploited the issue to condemn

⁸⁴⁵ Darwin, *Unfinished Empire*, p. 194.

⁸⁴⁶ Darwin, 'Imperialism and the Victorians', p. 623.

⁸⁴⁷ Richard Huzzey, 'The Moral Geography of British Anti-Slavery Responsibilities', *Transactions of the Royal Historical Society*, 22 (Cambridge: Cambridge University Press, 2012), 111-39 (p. 131).

Disraeli's foreign policy, mobilisation primarily occurred from below among working men's clubs, Liberal party activists and clergy. They disseminated petitions, published editorials and organised large gatherings to pressure Disraeli.⁸⁴⁸

Many of these opponents, however, were uninterested in the partisan distractions of Parliament. The issue transcended party politics and struck at the heart of Britain's moral aversion to slavery. In a debate at Leeds, George Thompson declared that it was 'not the question of ministries at all... It was not a question of this or that Government', but rather 'whether a certain document coming before them, they should avail themselves of the opportunity of speaking once and for all upon the question of human slavery.' These views were upheld by the BFASS Committee, who declared it is 'no party question... I honestly believe there is but one feeling prevalent amongst Ministers and [MPs], and the people of this country generally... a desire to suppress, by every legitimate means in their power, the trade which is a curse to the age in which we live...'⁸⁴⁹ Thompson declared he cared little 'who wrote the Circular, who revised it, or who was responsible for its present form of words', but whether the people accepted that their officers 'going to distant ports should become direct accomplices with men-stealers and slave-holders?'⁸⁵⁰

Despite an aversion to partisan distractions from some, the political establishment could not disentangle themselves from the matter. A *Sunday Review* column remarked that although 'speakers at various meetings... belong exclusively to what may be called the lower section of the Liberal party', their leaders were 'aloof.'⁸⁵¹ Senior Liberals were reluctant to criticise the government too harshly due to their records. Ward Hunt remarked that Clarendon's policy five years earlier was 'in accordance with a great part of our first slave Circular.' He had recommended against receiving fugitive slaves on board, as such a course 'can moreover have no other effect than to indispose the

⁸⁴⁸ Mulligan, 'The Fugitive Slave Circulars', p. 189.

⁸⁴⁹ British and Foreign Anti-Slavery Society, *Anti-Slavery Reporter*, 20 (London: British and Foreign Anti-Slavery Society, 1877), p. 94.

⁸⁵⁰ *Ibid*, p. 37.

⁸⁵¹ John Douglas Cook and others, *The Saturday Review of Politics, Literature, Science and Art*, 41 (Charleston: Nabu Press, 2012), p. 69.

natives and authorities towards us, and would in all probability tend to prevent their carrying out their engagements for the suppression of the Slave Trade.⁸⁵² Given the relative infancy of the Frere treaties and these fresh successes off East Africa, Whitehall understandably remained reluctant to compromise their relationships with local rulers during a period when patrols finally garnered results.

The *Review* defended Disraeli's cautious approach, pointing out that 'nothing can be more unfair than to accuse the Government of any desire to alter the general understanding on this point which has hitherto prevailed.' They argued that British ships of war were 'allowed to enter the territorial waters of slave State on a well-understood footing; but on the other hand, they are expected, as a natural return of courtesy, not to interfere offensively in the domestic affairs of the country.' Those who possessed slaves would not 'tamely submit to have them taken from them in this way.'

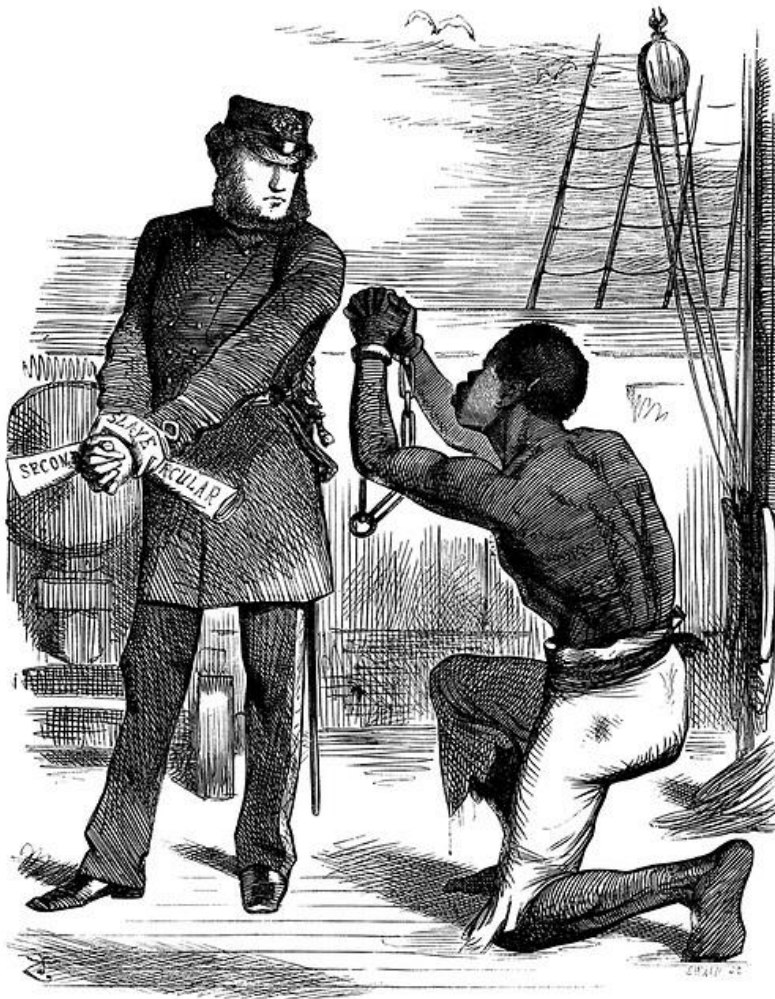
Although they agreed slavery was evil, they doubted whether an aggressive policy 'would be ultimately so beneficial as a persuasive one.'⁸⁵³ Tempers were further incited in December when the Conservatives issued a second Circular, which prompted the *Beehive* to remark that 'Ministers have put forth a new circular which the Conservative *Standard* suggests must have been inspired by some mischievous demon...'⁸⁵⁴

⁸⁵² House of Commons, *Reception of Fugitive Slaves - The Circulars - Instructions - Petition* (7 March 1876, vol 227, cols 1506-65) (London: Hansard).

⁸⁵³ *The Saturday Review*, p. 69.

⁸⁵⁴ Cited in S. Macooby, *English Radicalism: 1762-1785* (London: Routledge, 2002), p. 206.

Illustration 8.0 – John Tenniel, 'Men and Brothers!!', *Punch*, (London: The Office, 1876), 70 p. 80.



MEN AND BROTHERS!!

FUGITIVE SLAVE. "TAKE THESE OFF!"
CAPTAIN, R.N. "HOW CAN I?—WITH *THIS* ON?"

The new draft did little to dispel the interpretation that British officers were being ordered to collaborate with those involved in slavery. John Tenniel effectively communicated this dilemma in a March edition of *Punch*, in an illustration depicting a Royal Navy Captain manacled by the Second Slave Circular (See Image 8.0). The *Beehive* reported that 'meetings of a very enthusiastic character are being held all over the country at which strong resolutions condemning the issue of the second Fugitive Slave Circular have been passed.' On February 14th, a meeting at Exeter Hall was 'well filled', whilst 'great crowds could not obtain admission.' The BFASS Executive Committee

unanimously agreed to condemn 'the policy recently pursued by the Government concerning fugitive slaves, and desire to express its warm approval of the motion... demanding the unconditional withdrawal of Circulars, Instructions or Orders heretofore limiting the discretion of commanding officers in respect of the reception of fugitive slaves on board [HM's] Ships.' They concluded that ordering commanders to return slaves was contrary to 'the principle of international law, and a gross violation of the dictates of justice and freedom.'⁸⁵⁵

Recognising the futility of further resistance, a Royal Commission was established. In many respects, the division between the government and the mobilised opposition was reflective of the growing division in India between 'new imperialism' and 'masterly inactivity.' Both parties were content to maintain a distinction between the slave trade and slavery to preserve the Trucial system while in government. Although they were committed to suppressing the slave trade, they were unwilling to compromise their position of paramountcy to jeopardise their relationships with Trucial rulers. This was in stark contrast to their opponents, who presented a significant challenge to this narrow interpretation of Britain's national interest by appealing for an ideologically guided government policy. The Circulars demonstrated that radicals and Liberal activists were increasingly supportive of expansion and foreign intervention under righteous circumstances.⁸⁵⁶ The extent to which officers could be instructed to interfere in the internal affairs of Trucial Arabia would now be examined, not by officials in India, but by the Commissioners tasked with developing a working understanding that could satisfy both parties.

⁸⁵⁵ *Anti-Slavery Reporter*, 20, pp. 29-30.

⁸⁵⁶ Mulligan, 'The Fugitive Slave Circulars', p. 186.

8.4 – The Royal Commission and the Spectre of Benign Slavery

Given the public mood, Disraeli's decision to eschew any further attempts by the government to address the problem was predictable. In the eyes of the BFASS, the Royal Commission was considered an 'unworthy evasion of the responsibility that rests upon the Government and Parliament.'⁸⁵⁷ An article in *Punch* declared that if 'England hates anything from her heart – besides Popery – it is Slavery.' They alleged Ministers were 'very sorry to have inadvertently trodden on Britannia's toes... They have withdrawn No. 1', but they were now 'going to smother No. 2 under a Royal Commission' (See Image 8.1).⁸⁵⁸ Disraeli deflected the blame, writing to the Queen that it was a 'strange affair altogether... that the law officers should blunder and that the indiscretion in policy should have been committed by the Earl of Derby.'⁸⁵⁹ William Vernon Harcourt, who had written to the *Times* under the pseudonym Historicus, argued that foreign jurisdiction did not apply to a British warship even in territorial waters. He believed captains were bound to administer English law upon their vessels.⁸⁶⁰ Whilst jurists argued it was the duty of the critics to demonstrate that British vessels possessed extraterritorial jurisdiction even in territorial waters, Derby was forced to withdraw the Second Circular.⁸⁶¹

⁸⁵⁷ *Anti-Slavery Reporter*, 20, p. 30.

⁸⁵⁸ *Punch*, 70, p. 55.

⁸⁵⁹ William Flavelle Monypenny, *The Life of Benjamin Disraeli: Earl of Beaconsfield*, 5 (London: Macmillan, 1910), p. 397.

⁸⁶⁰ Hersch Lauterpacht, *International Law: Being the Collected Papers of Hersch Lauterpacht*, ed. by, Elihu Lauterpacht, 3 (Cambridge: Cambridge University Press, 1975), p. 102.

⁸⁶¹ John Noble, *Facts for Liberal Politicians* (London: National Press Agency, 1879), pp. 187-88.

Illustration 8.1 – The “Extinguisher” Trick, *Mr Punch's Victorian Era: An Illustrated Chronicle* (London: Bradbury, 1888) 3, p. 2



THE “EXTINGUISHER” TRICK.

“HERE YOU PERCEIVE ‘FUGITIVE SLAVE CIRCULAR’ NUMBER TWO—NUMBER ONE HAVING DIS-
APPEARED ALREADY! I NOW TAKE THIS CONE INTO MY HAND;—IT RESEMBLES AN EXTINGUISHER,
AND IS CALLED A ‘ROYAL COMMISSION.’ I PLACE IT OVER THE ‘CIRCULAR,’ AND—HEY, PRESTO!—ON
RAISING IT AGAIN, ‘CIRCULAR’ NUMBER TWO *WILL HAVE DISAPPEARED!*”

Despite public scepticism, what made the Royal Commission so significant was that it represented the first major metropolitan encounter with Trucial slavery. Up until this point, the daily operations of officials involved in the suppression of slave trafficking were the almost exclusive purview of men on the spot and their superiors in Bombay. To correct this knowledge gap, the Commission conducted numerous interviews with leading figures. These included the former PRPG James Felix Jones, CIZ Christopher Rigby, Sir Henry Bartle Frere and Secretary Charles Aitchison, as well as Royal

Navy Captain George Sullivan, author of *Dhow Chasing in Zanzibar Waters* (1873). With this wealth of information, the Commissioners first needed to determine whether Trucial slavery was recognised as legitimate and whether British warships were legitimate places of asylum. Concerns surrounding any expansion of the asylum were constructed around the potential political ramifications it may entail.

Officials in India and Bushire believed their presence was tolerated because it was not imposed without negotiating the consent of the signatories. When Aitchison was asked whether the good feeling of the locals would be 'turned into hostility' if their right to possess slaves was prevented, he insisted it would. He noted that it was 'with considerable difficulty' that they had managed to secure concessions against the slave trade. Any attempt to interfere in the institution would 'probably have the whole pearl-diving interest against us, and I think it would give rise to a very great complication if we did not recognise for the present condition of things existing in the country.'⁸⁶² The notion that Trucial slavery was 'benign' informed Britain's approach in the region since the General Treaty. Ascertaining the precise condition of the institution formed the central pillar of the Commission's questioning. When he was asked whether domestic slaves were well treated, Arthur Cumming replied: 'I may say that they were invariably treated with great kindness by their masters; they were well fed, and they kept a portion of their wages, although, I suppose, it was small.'⁸⁶³

Although Frere agreed that Trucial slavery was comparatively mild, this was precisely why complications were unlikely to arise if British vessels were acknowledged as sanctuaries. Those who had 'been long in slavery, and who have had tolerable treatment' would be reluctant to place themselves at risk and face the 'trial and difficulties of life on board ship.' It would only be 'young and active and rather enterprising men' who were likely freshly imported in contravention of the treaty or those who were 'extremely ill-treated' who would risk as desperate a step as seeking

⁸⁶² *Royal Commission on Fugitive Slaves*, p. 54.

⁸⁶³ *Ibid*, p. 3.

refuge with strangers.⁸⁶⁴ Commander Robert Gillson supported Frere's theory, noting that 'I think that the slaves who did escape were young boys who were not used to slavery.'⁸⁶⁵ Cumming agreed, stating that if British policy were to 'entice them,' he did not 'think that you would have got many of them' as they 'were so well treated.'⁸⁶⁶ Rigby confirmed this, noting that 'during the whole time that I was magistrate at Bushire and Karrack, I scarcely remember an instance of any slave coming to claim his freedom.' Even though it was well established that slaves could apply for manumission at Bushire, he could think of 'not one single instance of any slave coming before me as magistrate to ask that he might have his liberty.'⁸⁶⁷

Despite this, not everybody was unanimous in their assessment that slaves were well-treated or predisposed to decline opportunities to seek British protection. Gillson noted that although the slaves he encountered in Bahrain were 'very well treated and... very comfortable,' in some cases they 'seemed to have been very badly treated.' During the demolition of a fort, he noticed there were slaves with 'wounds upon them where they had been thrashed.' He argued older slaves would not attempt to seek refuge, not because they were content with their condition, but because they had 'have lost all idea of their freedom and do not know how to go about it; that they have lost their state.'⁸⁶⁸ These domestic slaves apparently assumed that if they ended up under British protection, they were attempting to seize them and make slaves of them, providing no material improvement in their condition.

According to Captain Wilson, locals persuaded their slaves 'that we only want them on board our ships to eat them, and that is the only thing which prevents their escaping to us more frequently.'⁸⁶⁹

This was not an isolated report, as Kevin Shillington highlights that slaves often committed suicide

⁸⁶⁴ Ibid, p. 67.

⁸⁶⁵ Ibid, p. 27.

⁸⁶⁶ Ibid, p. 3.

⁸⁶⁷ Ibid, p. 13.

⁸⁶⁸ Ibid, p. 27.

⁸⁶⁹ Ibid, p. 25.

rather than leave Madagascar because they feared Europeans would eat them.⁸⁷⁰ Another officer in the Royal Navy remarked that the Arabs 'on being chased by a man-of-war, invariably tell their wretched cargo that the English will cut their throats and eat them... The saddest sight of all sights is to see the bodies of the little children washing about in the turf.'⁸⁷¹

While ill-treatment was cited as a reason for slaves to avoid seeking refuge, either out of fear or emotional manipulation, Commissioners A.E. Cockburn and T.D. Archibald believed such abuse justified mitigating circumstances for those who did request protection. While he was 'anxious to guard against... the supposition that there is a right on the part of the slave to the protection of a British ship of war', in his summation Cockburn believed that ill-treatment presented an exceptional circumstance.⁸⁷² Cockburn argued that 'where the slave bears... marks of ill-treatment, let the consequences be what they may, the slave should be protected.' While he maintained that naval officers should be instructed to discourage slaves from boarding, ill-treatment should be an exception to this rule. This principle was not without precedent. Rigby recounted that a slave 'one day ran into my tent and fell down and clasped my knee', where he noted his arms were 'quite raw to the bone; the flesh had been cut away where he had been bound.' He offered the man protection and when his return was demanded, he 'took up a rhinoceros hide whip... and I gave him a very severe thrashing', after which no further claim was made.⁸⁷³

This idea of intervening in cases of mistreatment had the additional benefit of conforming to local customary expectations. Although manumission was encouraged as an act of religious devotion, in cases of mistreatment, a master could be forcibly induced to free his slave. 'Whoever mistreats his slave, that slave is free to go.' As Robert Gleave explains, for the 'crime of mistreating a slave, the master loses the ownership of the slave' and as compensation for that mistreatment, the slave was

⁸⁷⁰ Kevin Shillington, *Encyclopedia of African History* (New York: Fitzroy Dearborn, 2005), p. 1387

⁸⁷¹ Cited in *The London Quarterly Review* (New York: Leonard Scott, 1872), 133, p. 283.

⁸⁷² Clive Parry and Gerald Fitzmaurice, *A British Digest of International Law Compiled Principally from the Archives of the Foreign Office*, 7 (London: Steven, 1965), p. 414.

⁸⁷³ *Royal Commission on Fugitive Slaves*, p. 14.

freed with no obligations to his former master. When a slave was 'freed for the sake of Allah, it was He who was then considered to be their patron.'⁸⁷⁴ Appeals to local customs were not the only means available to British officials to navigate the politically sensitive terrain surrounding slavery. Interestingly, they also appeared to have engaged in their methods of resistance to circumvent their jurisdictional boundaries. Felix Jones openly admitted that both himself and his subordinates engaged in a system of willful ignorance. When a slave sought refuge with them, they 'never said a word about them, as long as there was no demand, it was not our business to send the man back into slavery.'⁸⁷⁵

Regardless of the circumstances upon which a slave had ended up under Bushire's care, under Jones, they would hold their tongue and 'let him have the freedom that he wished to have,' unless a claim was made. Even when an official request was lodged, Jones admitted they 'threw cold water upon them'. If demands were made, 'we used to pooh-pooh it as much as possible if we found it was the wish of the individual to get away,' unless the demand 'came strongly before us.' He even went one step further, clarifying that they 'connived at his escape if he wished it,' an act which does not appear to have been isolated to his tenure.⁸⁷⁶ During his appointment as Political Agent at Muscat in 1862, Colonel Malcolm Green informed Henry Holland that when slaves found refuge at his home, he 'allowed them to find their way to India in one of the trading boats which were always in want of hands, and were willing to employ them.'⁸⁷⁷

The picture laying before the Royal Commission was complex. It was their unenviable responsibility to recommend a solution that would satisfy as many parties as possible, without undermining officials in the region in the process. Predictably, the Commissioners themselves were divided over international law along the familiar fault lines – 'natural law' vs 'legal positivism,' 'masterly inactivity'

⁸⁷⁴ Cited in Robert Gleave, 'Patronate in Early Sh'ite Law', *Patronate And Patronage in Early And Classical Islam*, ed. by Monique Bernards and John Nawas (Leiden: BRILL, 2005), pp. 134-66 (p. 143).

⁸⁷⁵ *Royal Commission on Fugitive Slaves* p. 48.

⁸⁷⁶ *Ibid.*

⁸⁷⁷ *Ibid.*, p. 45.

vs 'new imperialism' and Liberal vs Conservatives. As Mulligan notes, Roberto Phillimore and Henry Maine believed that law was shaped by 'customs and practices', which meant it was always open to change.⁸⁷⁸ International law was not 'stationary; it admits of progressive improvement, though this improvement is more difficult and slower than that of municipal law.' Although legal positivists had emerged victorious during debates surrounding the slave trade during the early nineteenth century, 'natural law' propositions that it was 'repugnant to reason... that such a state [slavery] should subsist anyway' were still appealing.⁸⁷⁹

Phillimore and Maine both advised that even international law 'varies with the progress of opinion and the growth of usage, and there is no subject on which so great a change of opinion has taken place as slavery and the slave trade.'⁸⁸⁰ Both aligned with 'new imperialists' who advocated for an active paternalistic role within indigenous structures to promote the extension of civilisation and liberal notions of intervention to pursue humanitarian objectives or facilitate the spread of liberalism. If humanitarian concerns conflicted with local laws or customs, British officials or officers were not bound to recognise them. They argued that sovereigns could not require naval officers to comply with laws that were 'plainly repugnant to humanity or justice,' operating under the assumption that differences existed between European and non-European states. The problem was that 'the progress of civilisation, tending though it does continually produce a general uniformity, has not yet entirely effaced.'⁸⁸¹

These views were indicative of the underlying logic which drove the civilising mission that fuelled imperial expansion during the nineteenth century. In *The Institutes of the Law of Nations* (1883), James Lorimer warned that they 'must take cognisance of the relations in which civilised communities are placed to the partially civilised communities around them.' He believed they were

⁸⁷⁸ Mulligan, 'The Fugitive Slave Circulars, 1875–76', p. 198.

⁸⁷⁹ Robert M. Cover, *Justice Accused: Antislavery and the Judicial Process* (New Haven: Yale University Press, 1975), p. 15.

⁸⁸⁰ Cited in Huzzey, *Freedom Burning*, p. 72.

⁸⁸¹ *Royal Commission on Fugitive Slaves*, pp. 55–61.

not bound to apply the positive law of nations to 'savages, or even barbarians, as such', but they were bound to ascertain the points at which they came within the scope of partial recognition.⁸⁸²

Edward Keene has argued that treaty-making demonstrated how the 'hierarchy of 'civilised,' 'semi-civilised,' 'barbarous' and 'savage' peoples was structured.⁸⁸³ Although the treaty network complied with 'legal positivists' requirements for consent, he believes that differences in the language between treaties with European and American power and non-Europeans revealed differing degrees of reciprocity or equality. This was more apparent in their exclusion from any role in the 'management or enforcement of the regime.'⁸⁸⁴

In contrast, the conservative Commissioners maintained a strict interpretation of the primacy of state sovereignty, which had informed earlier legal positivists and underpinned the Trucial system. They believed Britain had already recognised another state's right to determine whether to maintain their institutions of slavery and participate in their trafficking, even after Britain abolished both. The treaty network itself reflected the necessity of obtaining consent, which was crucial to the respect between states for each other's independence. Although Keene argues that the language of the treaty network reflected a hierarchical difference between 'civilised' and 'uncivilised' parties, under the Trucial system, the British had always recognised the necessity of securing the consent of the signatories. During their attempt to extend a universal ban on the slave trade in the 1840s, British officials had to pursue various agreements to achieve their aims, because they recognised the dangers posed by jurisdictional loopholes. While reciprocity and equality had varied over time, they had never wavered from the central premise that consent was vital.

When Jones testified before the Commission, he had attested to operating under the principle that Africans 'had no right to be upon the soil, that they had been forcibly brought upon that soil, and

⁸⁸² James Lorimer, *The Institutes of the Law of Nations: A Treatise of the Jural Relations of Separate Political Communities*, 1 (Edinburgh and London: W. Blackwood, 1883), p. 101-2.

⁸⁸³ Edward Keene, 'A Case Study of the Construction of International Hierarchy: British Treaty-Making against the Slave Trade in the Early Nineteenth Century', *International Organization*, 61:2 (2007), 311-39 (pp. 332-33).

⁸⁸⁴ *Ibid*, p. 313.

were not *ab origine* that subjects of that power’ and therefore ‘they could claim the protection of the British authority.’⁸⁸⁵ His argument was predicated upon the principle that slaves had *de facto* been imported against their will – fresh or otherwise – and authorities could not claim any jurisdictional rights over them. If they wished to claim their freedom, ‘it was not our duty to prevent their having their freedom by surrendering them back into slavery, and therefore we used to let them alone.’⁸⁸⁶ Commissioner James Fitzjames Stephen was not convinced by these arguments. In his view, international law was not about progressing civilisation. While he was ‘conscious that this view of the matter... leads to consequences from which every humane person must revolt’, naval officers must be directed ‘to respect and give effect to the local law.’ It was regrettable that ‘they will at times have to facilitate the commission of cruel and wicked acts,’ but that it was not their place to dictate when local law did or did not apply.⁸⁸⁷

Alexander Cockburn, Sir Thomas Archibald, Frederick Thesiger, Henry Holland and Stephen all signed a statement declaring that it was an ‘established principle of international law, that no state is justified in encouraging its subjects to violate the law of other states.’ This principle extended to countries where slavery was established by law. Although ‘slavery has happily become abhorrent to the British nation’, the rights of slave owners ‘have been, on more than one occasion... recognised and enforced by English courts.’ They argued Britain had ‘no right to force its law on an independent state, nor... to authorise its subjects to violate the law of the latter because it disapproves of that law.’⁸⁸⁸ Whether British authorities recognised domestic slavery in Trucial Arabia as lawful was a point of intense scrutiny. When Charles Aitchison appeared before the commission on 4th April, he was repeatedly probed about the precise nature of the Trucial system. Aitchison believed that although the treaties did not explicitly recognise domestic slavery, the inferential recognition was still legitimate. He believed they had a ‘moral obligation’ not to interfere, as they had concluded the

⁸⁸⁵ James Felix Jones to the Royal Commission, 23rd March 1876, *ROC*, p. 48.

⁸⁸⁶ *Ibid.*

⁸⁸⁷ *Royal Commission on Fugitive Slaves*, p. ivi.

⁸⁸⁸ *Ibid.*, p. xxiii.

treaties for the express purpose of suppressing the slave trade 'and that we have not gone further.'⁸⁸⁹

The Royal Commission's recommendations represented a compromise between the different priorities of international law and liberal humanitarianism. Declaring that all fugitive slaves were free would lead to unintended consequences and destroy their 'amicable relations with countries where slavery is still legal.' Courting the disapproval and hostility of the signatories would only undermine their existing efforts against the slave trade. Any unilateral emancipation of fugitive slaves would also require compensation, which they knew from experience would 'excite great experience.' Despite this, they believed that when slaves fled abusive masters, 'humanity required the fugitive should be retained on board.'⁸⁹⁰ They recommended against imposing strict protocols but refused to declare British warships legitimate asylum targets, whilst recommending that naval officers exercise their discretion. They noted that 'respect for the local law ought not... to be carried to such an extent as to make British naval officers accessory to acts of cruelty.'⁸⁹¹

After receiving their report, Derby only made minor changes to the 'New Slave Instructions', with exceptions related to cases of ill-treatment. Unsurprisingly, the continued commitment to non-intervention in the institution of slavery was unpopular. The BFASS declared in the *Reporter* that the new government instructions, informed by the findings, effectively paid 'homage to slavery.'⁸⁹² The clause surrounding ill-treatment was particularly contentious. While it sounded well in practice, the *Law Journal* declared indignantly 'does any one suppose that when the fugitive slave is brought back to his master... that the master pats Sambo on the back, and, with a sweet smile, tell him to be a good and faithful slave for the future?'⁸⁹³ Fortuitously for Disraeli, a crisis in Bulgaria provided a

⁸⁸⁹ Ibid, p. 55.

⁸⁹⁰ Ibid, p. 14.

⁸⁹¹ Ibid, p. xxiii.

⁸⁹² *Anti-Slavery Reporter*, 20, pp. 121–25.

⁸⁹³ Ibid.

welcome distraction and despite widespread opposition, the matter was relegated to the periphery of popular discourse.⁸⁹⁴

Although the new Circular appeased some demands of liberal public opinion, it was clear that the slave trade could not be satisfactorily dealt with without a multilateral convention.⁸⁹⁵ The decision to provide a mechanism to intervene in cases of abuse, while refusing to condemn the institution itself, allowed officials to maintain a façade of non-intervention while being seen to act in extreme cases. This was a pragmatic decision designed to satisfy as many stakeholders as possible, without undermining British paramountcy in Trucial Arabia. In many respects, the recommendations reflected the process of Trucialisation itself. Although the Trucial system was rooted in legal positivist principles, compromises informed its expansion between their respect for territorial sovereignty and a commitment to expand and pursue their humanitarian objectives.

The consensual prohibition of the slave trade satisfied both a demand to obtain agreement with local rulers and the expansion of their suppression of slave trafficking. It was also a compromise between the British and the Trucial Arabian signatories themselves. Although they had eschewed requests for more direct support and restricted their role to a maritime sphere, they had gradually agreed to adopt a mediatory position with limited guarantees that conformed with Trucial socio-political expectations. This allowed the British to flexibly deploy a commitment to non-intervention, which precluded them from unwanted obligations. In exchange, signatories were able to cultivate external recognition of their authority through the signing of treaties and their alignment with a powerful – if unreliable – partner. Despite this, the 1873 agreements were indicative of an increasingly asymmetrical power dynamic that would eventually be enshrined in the Exclusive Agreements.

⁸⁹⁴ Mulligan, 'The Fugitive Slave Circulars, 1875–76', p. 199.

⁸⁹⁵ Lauterpacht, *International Law*, 2, p. 102.

9.0 - Conclusion

Distinguishing between intervening in internal and external interactions allowed Britain to maintain the illusion that it avoided any interference in the Trucial ruler's internal affairs. Despite this, anxieties remained, largely surrounding the ever-present threat of Russian advances. On 16th November 1903, Viceroy Lord Curzon delivered a speech to a delegation at Sharjah:

*'We were here before any other Power, in modern times, had shown its face in these waters. We found strife and we have created order. It was our commerce as well as your security that was threatened and called for protection... We saved you from extinction at the hands of your neighbours. We opened the seas to the ships of all nations, and enabled their flags to fly in peace. We have not seized or held your territory. We have not destroyed your independence, but have preserved it. We are not now going to throw away this century of costly and triumphant enterprise; we shall not wipe out the most unselfish page in history...'*⁸⁹⁶

To Curzon, the Trucial system had allowed Britain to create order from chaos without violating the signatory's independence. His address was resplendent in notions of paternalistic altruism, representing a full articulation of the role envisioned by 'new imperialists' like Bartle Frere. They were not conquerors who had violently imposed their dominance over Trucial Arabia, but benevolent guardians who had gained their position through consensual agreements. It was these qualities that made Pax Britannica in Trucial Arabia the most unselfish page in history.

Curzon's position was subsequently reflected in much of the early historiography, which portrayed Britain as the arbiter and guardian of the Gulf. J.B. Kelly, an advisor to Sheikh Zayed of the U.A.E., declared that Britain's position in the Persian Gulf 'rested upon the exertions and sacrifices of the

⁸⁹⁶ Cited in Paul J. Rich, *Creating the Arabian Gulf: The British Raj and the Invasions of the Gulf* (Lanham: Lexington Books, 2009), pp. 271-73

men who brought peace, justice, and the rule of law... and in doing so wrote one of the most honourable pages in the history of the British Empire.⁸⁹⁷ His obituary recorded that his 'real admiration was for the British imperial servants... who had brought stability and genuine progress to Arabia and the Gulf.'⁸⁹⁸ Edward Thompson and G.T. Garratt also wrote of 'England's long and honourable record in the Gulf.'⁸⁹⁹ More recently this orthodoxy has been challenged. Al-Qasimi, for example, argues that the 'only abnormal factor was the introduction of a foreign people whose aim was to dominate and exploit.' He challenged the existing orthodoxy that Trucial Arabia was 'saved... by the benevolent efforts of the [E.I.C.], whose intervention... was for the sole purpose of preserving law and order' and their paramountcy was 'a responsibility thrust upon the British almost against their will.'⁹⁰⁰

The process of Trucialisation created a legal space through which they could express these ideas by emphasising irreconcilable differences between 'chaos' – defined by lawlessness and inhumane treatments – and 'order' – constructed around ideas of legitimate commerce and peaceful intercourse. By constructing a legal system around the de-legalisation of maritime violence and slave trafficking, officials conferred value judgements on those who violated these new normative values. Of course, it was individual officials in Bushire or India – not the Trucial Arabs – who determined what these values were. By designating those who were opposed to their interests as 'pirates', they conferred a value judgement on them as actors who were inimical to the tranquillity of the Persian Gulf. The extension of this designation to slave traffickers inferred similar judgements as the British created a delineation between 'Friendly Arabs' and 'enemies of all mankind.'

Through the Trucial system, the PRPG ensured they were an indispensable component of the regional hierarchy by conferring responsibility for maintaining maritime peace upon themselves. This

⁸⁹⁷ Kelly, *Britain and the Persian Gulf*, p. 837.

⁸⁹⁸ 'Obituary: Professor JB Kelly', *The Telegraph* <<https://www.telegraph.co.uk/news/obituaries/politics-obituaries/6227955/Professor-JB-Kelly.html>> [accessed on 10th June 2020].

⁸⁹⁹ Edward Thompson, and G.T. Garratt, *History of British Rule in India* (New Delhi: Atlantic, 1999), p. 14.

⁹⁰⁰ Al-Qasimi, *The Myth of Arab Piracy in the Gulf*, p. 2.

would have been impossible if they had not successfully reconceptualised the Persian Gulf as a site of indiscriminate violence. The Trucial system constructed a justification for British imperialism through a recognition by Trucial rulers that a solution to this 'problem' was necessary. By identifying these endemic problems, the British were able to bestow a *raison d'être* upon themselves, which placed them at the head of a naval confederacy responsible for strengthening this new normative order. The notion that the signatories both benefitted from this arrangement and agreed to it consensually was central to this premise under the principles of 'legal positivism.'

Through an emphasis on their commitment to non-intervention, British officials were able to maintain that they had not violated the sovereignty of the signatories. Yet, the establishment of extraterritorial jurisdiction over British subjects and the increasingly asymmetrical nature of the treaties render this position tenuous. The foundations of the Trucial system were established through violence at Ras al-Khaimah and the General Treaty was secured through a display of the destructive capacity of British imperialism. It is difficult to maintain that these initial arrangements were not established without a degree of coercion – indirect or otherwise. Throughout their tenure, the British were willing to utilise gunboat diplomacy to reinforce compliance.

It is also undeniable that the suppression of slave trafficking was deeply unpopular. Said bin Sultan vigorously opposed the Hamerton Treaty, even dispatching a representative to London. The 1873 Agreement with Zanzibar was also extracted through Bombay's leveraging of the Zanzibar subsidy and the threat of a naval blockade. The resistance of Ibadi revivalists against Muscat was informed by the unpopularity of Britain's anti-slavery measure and the Al Bu Said's reliance on their support. Networks of resistance were developed through collaboration with disaffected members of local communities. Enforcement of the provisions was entirely delegated to British cruisers. Unlike agreements with Europeans that bestowed mutual rights of visitation, notions of reciprocity were increasingly absent.

However, there is another perspective which diverges from the binary assessment of 'benevolent humanitarian endeavour' vs 'asymmetrical imperial imposition.' According to James Onley, Trucialisation was successful because 'it was largely self-enforcing.' He argues it is wrong to assume Britain 'imposed its protection... against the will of their rulers.' These conclusions 'ignore the... tradition of protection-seeking' and 'the historical record... which shows that the treaties were initiated as much by the Gulf rulers as by the British.'⁹⁰¹ If we only conceive of the Trucial system as a product of the interrelations of imperial stakeholders, we risk ignoring the signatories' navigation of these imperial structures and obscuring how they helped shape it.

Whilst we must not mistake Britain's intentions as altruistic, their recognition of the signatory's sovereignty afforded them an avenue of participation. By securing their signatures, Britain acknowledged their authority to agree to terms on behalf of their subjects. Authority in Trucial Arabia was fragile, rulers were frequently deposed or murdered. Although alignment with Britain could be unpopular, their recognition was an attractive prospect. While the reliability or willingness of the British to extend protection was lacking, the Maritime Truces were an example of how local socio-political traditions shaped the Trucial system. Although the General Treaty was secured through a display of military power against Ras Al-Khaimah, it was not abnormal for the British to make significant demands. Within the protector-protégé relationship, protégés were expected to concede to demands in exchange for protection.

It was acceptable for rulers to make concessions that were inimical to their interests in exchange for protection. Within this system, protectors were expected to act as mediators in conflicts between their protégés. Britain's role within the Maritime Truce closely mirrored this function, although they stopped short of protecting from external aggression. The retention of local traditions within the Trucial system undoubtedly contributed to its success, informed by the necessity to work within indigenous infrastructures. As John Schmidhauser notes, where 'fundamental changes in a colonial

⁹⁰¹ Onley, 'The Politics of Protection', pp. 75-76.

legal system threatened the stability of British rule,' measures were carefully implemented.⁹⁰² The informal structure of British paramountcy in Trucial Arabia relied upon their ability to collaborate with local rulers. The key to Britain's success was its ability to infiltrate local power structures while redirecting local resources and adapting its approach to local conditions to maintain its influence. As Darwin notes, they did not 'so much impose their control over local societies as tunnel their way into them.'⁹⁰³

This was partially informed by the lack of material resources at the disposal of men on the spot, with the withdrawal of the Qishm garrison in 1822, the PRPG only possessed a limited means of power projection. If the British overextended themselves with excessive demands, they placed their position at risk. They were dependent upon the goodwill of local rulers to support their paramountcy. If they imposed measures that were too unpopular, they risked undermining these relationships. The Trucial system was ultimately a process of dominance articulated through local socio-political traditions and interdependence. Although we must be careful not to lose sight of the asymmetrical nature of this relationship, we cannot ignore how the signatories navigated these structures and influenced the nature of British imperialism. While Trucialisation was designed to subordinate the signatories, they also retained greater autonomy over a longer period than many imperial possessions, forcing the British to adopt a gradualist approach.

9.1 – Britain's Suppression Campaigns: Success or Failure?

Given the objectives of the Trucial system were ostensibly constructed around the suppression of slave trafficking and maintenance of maritime peace it is appropriate to ask to what extent was it

⁹⁰² Schmidhauser 'Legal Imperialism', p. 323.

⁹⁰³ Darwin, *Unfinished Empire*, p. 10.

successful at accomplishing these aims. After Pelly's intervention in the aftermath of the Qatari-Bahrain War, the issue of 'piracy' was largely resolved through the permanent deployment of an effective naval deterrent. The popularity of the Maritime Truces amongst the signatories also facilitated their consistent renewal and the eventual Perpetual Maritime Truce. While they by no means eliminated all cases of maritime violence, there was a mechanism through which conflicts could be mediated and compensation extracted. Failures were largely due to inadequate naval resources at the disposal of the PRPG, rather than inefficiencies in the provisions themselves. After securing the Friendly Convention, a significant jurisdictional gap was also closed and an effective system of management was established. British officials viewed legitimate commerce as a remedy for the slave trade and a salve for the predatory instincts which threatened to undermine it.

Through the regulation of the signatory's ability to engage in maritime violence, Bushire hoped to encourage a transition toward peaceful enterprise. This was crucial when we consider that both suppression campaigns were handicapped by insufficient and unreliable naval resources. In the absence of a reliable deterrent, Bombay needed to secure other avenues through which Bushire could enforce the provisions of the Trucial system. Commerce was considered a vehicle through which Trucial Arabia could be 'civilised' through its integration into the global economy. By sharing this prosperity, locals could be persuaded to abandon their 'piratical' pursuits to facilitate a transition from slave to free labour. During the second half of the century, traditional dhows struggled to compete with European steamers, largely acting as distributors for European goods in local markets.⁹⁰⁴ This pushed people into pearling and date farming. While European intrusions were initially damaging, Trucial Arabia's integration into the global economy through its connections with the British drove the expansion of pearling and date farming.⁹⁰⁵

⁹⁰⁴ Landen, *Oman Since 1856*, pp. 97-99.

⁹⁰⁵ Abed Al-Razzak Al-Maani and Saleh Alsharari, 'Pearl Trade in the Persian Gulf during the 19th Century', *Asian Culture and History*, 6:1 (2014), 43-52 (p. 44).

The importance of pearl exports was expressed by Mohammed bin Thani, who declared they were all 'from the highest to the lowest slaves of one master, Pearl.'⁹⁰⁶ Between 1833-1866, exports grew from £300,000 to £400,000, but after the deployment of a more reliable naval deterrent, they grew to £1,434,399 by 1905, more than doubling after 1873.⁹⁰⁷ Although our earliest figures begin much later, date exports enjoyed similar successes. According to Lorimer, Muscat's date exports almost doubled between 1899-1906 with a peak of £103,000 in 1902-3, while Bahrain's trebled from £10,500 in 1899-1900 to nearly £26,000 within six years.⁹⁰⁸ Since the 1850s, America was the largest consumer of Trucial dates whose demands only grew after the opening of the Suez Canal cut the voyage from New York to Muscat by a third.⁹⁰⁹

Britain's enforcement of the Maritime Truces stabilised regional security, especially on the pearl banks. The Absconding Debtors Agreement (1879) also afforded further security by preventing indebted divers or sailors from seeking asylum.⁹¹⁰ Frauke Heard-Bey credits Britain's enforcement of the Maritime Truces for encouraging the expansion of pearling.⁹¹¹ This assessment reflected those of the British themselves. PRPG Arnold Kemball noted it 'became a matter of vital importance to secure to all the tribes, in common, peace and tranquillity, while engaged in the practice of their vocation on the pearl banks, and in the prosecution of their carrying trade, the only means which... nature has placed within their reach for gaining a livelihood.'⁹¹² Under the terms of the Perpetual Truce (1853), the signatories themselves were required to acknowledge the 'benefits and advantages' and the 'evil consequence formerly arising from the prosecution of our feuds at sea' which had prevented their

⁹⁰⁶ Cited in Mark Hobbs, 'Divers are a Pearl's Best Friend: Pearl Diving in the Gulf, 1840s-1930s', *Qatar Digital Library* <<https://www.qdl.qa/en/divers-are-pearl%E2%80%99s-best-friend-pearl-diving-gulf-1840s%E2%80%931930s>> [accessed 11th March 2019].

⁹⁰⁷ Lorimer, *Gazetteer of the Persian Gulf*, Appendix C, pp. 2220-93.

⁹⁰⁸ Cited in Fahad Ahmad Bishara and others, 'The Economic Transformation of the Gulf', in *The Emergence of the Gulf States: Studies in Modern History*, ed. by J.E. Peterson (London: Bloomsbury, 2016), pp. 187-222 (p. 196).

⁹⁰⁹ Hopper, *Slaves of One Master*, p. 69.

⁹¹⁰ Lorimer, *Gazetteer of the Persian Gulf*, pp. 785-86.

⁹¹¹ Heard-Bey, *From Tribe to State*, p. 164.

⁹¹² Cited in Hughes Thomas, *Arabian Gulf Intelligence: Selections from the Records of the Bombay Government, No. XXIV, 1856* (London: Oleander Press, 1985), p. 71.

subjects from 'carrying on the pearl fishery in security, and were exposed to interruption and molestation.'⁹¹³ In 1878, Assistant PRPG E.L. Durand reported that the sheikhs and their subjects had been enriched by the pearl trade.⁹¹⁴

The *Gazetteer* estimates there were 4785 boats employed in pearl diving, with 74,000 people directly engaged in the industry. Bahrain and Qatar employed 917 and 817 boats and 17,500 and 13,000 men respectively, while along the lower Gulf littoral, there were 1215 boats and 22,045 men.⁹¹⁵ This was a significant increase from the 2500 boats and 30-40,000 reported in 1841 shortly after the introduction of the Maritime Truces.⁹¹⁶ Although it is difficult to attribute to any one factor, it would not be unreasonable to conclude that the additional security helped facilitate an environment in which both industries could flourish. At the very least, Bushire's mediation ensured that disputes could be amicably resolved, with disruptions kept to a minimum. If we consider the provisions against maritime violence as largely successful, is it possible to say the same for those designed to suppress the slave trade? It appears the two were linked not only through their identification as worthy of eradication through the Trucial system, but also through the expansion of the Trucial economy. Evidence suggests successes against maritime violence at least contributed to failures to suppress the slave trade, despite the dual purpose of Trucialisation.

Whilst it is difficult to ascertain the precise dimensions of the Trucial slave trade, most traditional estimates identified significant growth during the nineteenth century. What they all share, however, is an agreement that there was a drop-off in imports after 1873, when the traffic from East Africa was officially outlawed.⁹¹⁷ This position has recently been challenged by Matthew Hopper and

⁹¹³ See Appendix – Treaty of Peace in Perpetuity (Perpetual Maritime Truce), 24th August 1853.

⁹¹⁴ Cited in A.I.P. Burdett, *Records of the Persian Gulf Fisheries, 1857-1962* (London: Archive Editions, 1995), p. 62.

⁹¹⁵ Lorimer, *Gazetteer of the Persian Gulf*, Appendix C: The Pearl and Mother-of-Pearl Fisheries of the Persian Gulf, pp. 2220-36.

⁹¹⁶ Kelly, *Britain and the Persian Gulf*, p. 366.

⁹¹⁷ Ralph A. Austen, 'The 19th Century Islamic Slave Trade from East Africa (Swahili and Red Sea Coasts): A Tentative Census', *A Journal of Slave and Post-Slave Studies*, 9:3 (1988), 21-44 (pp. 21-22), Paul Lovejoy, *Transformations in Slavery: A History of Slavery in Africa* (Cambridge: Cambridge University Press, 2000), pp. 150-151, E.B. Martin and T. Ryan, 'A Quantitative Assessment of the Arab Slave Trade, 1770-1896', *Kenya*

Benjamin Reilly. According to Hopper, 'the assumption of a sharp post-1873 decline has probably kept estimates artificially low, and the larger estimates may be more accurate than the lower estimates.'⁹¹⁸ Whatever its dimensions, there was undoubtedly an active slave trade after 1873. In 1886, operations were expanded again through the deployment of four vessels, but their success was minimal. Lorimer notes that a 'considerable number [of] raw' slaves had arrived in Oman. He concluded that records suggest their efforts had not suppressed the traffic but diverted it into new channels.⁹¹⁹ As we may recall, this was the same region that had already played host to an extensive network of resistance during the 1840-50s and similar clandestine operations continued alongside newer methods, such as the use of French flags and papers.⁹²⁰

Despite its official termination in 1873, the growing pearling and date industries drove an increased demand for labour, which facilitated the rise in slave trafficking. As Reilly notes, 'African labour of slave origins played a significant, though previously unappreciated, role in agricultural production.' Although these labourers were never more than a sizeable minority – and sometimes even free – his findings put to rest 'the often-cited adage that slavery in the Arab world was overwhelmingly consumptive rather than productive in character.'⁹²¹ Whilst domestic slavery was crucial to the social fabric of the Middle East, a significant proportion of those imported was employed in the agricultural sector.⁹²² It was enslaved Africans who facilitated the expansion of the region's date production and their integration into the global economy.⁹²³ Likewise, in pearling crews, slaves and free divers

Historical Review, 5 (1977), 71-89 (p. 79) and Thomas Ricks 'Slaves and Slave Traders in the Persian Gulf, 18th and 19th Centuries: An Assessment', *The Economics of the Indian Ocean Slave Trade in the Nineteenth Century* (London: Frank Cass, 1989), 60-70 (pp. 60-67).

⁹¹⁸ Hopper, *Slaves of One Master*, p. 39.

⁹¹⁹ Lorimer, *Gazetteer of the Persian Gulf*, Appendix L, p. 29.

⁹²⁰ London, BL, India Office Records and Private Papers, IOR/L/PS/18/B135, fols 14-18, Memorandum on the Use of the French Flag by Subjects of the Sultan of Maskat, 1901
<https://www.qdl.qa/en/archive/81055/vdc_100000000833.0x000177>.

⁹²¹ Benjamin Reilly, *Slavery, Agriculture and Malaria in the Arabian Peninsula* (Ohio: Ohio University Press, 2015), pp. 153-54.

⁹²² See Murray Gordon, *Slavery in the Arab World*, (New York: New Amsterdam Books, 1989) and Ronald Segal, *Islam's Black Slaves: The Other Black Diaspora* (New York: Farrar, Straus and Giroux, 2001).

⁹²³ Hopper, *Slaves of One Master*, p. 78.

worked together, though no diver was entirely free. Complex systems of debt and obligation ensured they were perpetually indebted to encourage their annual return.⁹²⁴

Maintenance of maritime peace had unwittingly contributed to the conditions necessary for a growing requirement for slave labour to meet the demands of foreign consumers. Although it was not the only factor, Britain's commitment to ensuring the tranquillity of the Persian Gulf – a role inextricably tied to their campaign against 'piracy' – allowed the industries which required slave labour to thrive. This had not escaped the attention of British officials entirely. While they expressed concerns, they declined to intervene due to its importance to local and global economies. This was nothing new, as we have seen they had already declined to receive fugitive slaves due to fears that it would disrupt the pearling fleets. Bombay and Bushire rationalised their reluctance to interfere by categorising Trucial slavery as 'benign' due to their belief that it was largely domestic. This was informed by a belief that Trucial slavery was non-productive, which allowed observers to differentiate it from chattel slavery. In Trucial Arabia, they were largely employed in the date plantations of the Batinah Coast and Muscat had 'the largest date export from the Gulf to Indian and other Asiatic ports.'⁹²⁵

Fears surrounding the penetration of the domestic sphere created a delineation between the institution and the traffic, arguably informed by the absence of contemporary accounts of the interior. Although there were notable exceptions, most contemporary observers were largely confined to the coastal towns or cruisers along the coast, which largely obscured the date plantations from official accounts. The artificial division embodied by the Trucial system and the official policy of non-intervention only further contributed to this absence. While pearl divers were commonplace, including recognition of the gruelling conditions, the mixed origins of the divers, which included Arabs, Baluchis and Persians, dissuaded conclusions that classified it as a system of

⁹²⁴ Ibid, p. 81.

⁹²⁵ Edgar Brown and Carl Schofield, *Wild Rice: Its Use and Propagation* (Washington D.C.: Government Printing Office, 1903), p. 12.

slavery. As Hopper highlights, the 'aims of liberal politics clashed with the aims of liberal economics,' as a result slavery 'ceased to be a scourge and came to be seen instead as a mild institution' to be phased out gradually.⁹²⁶ It was this prioritisation of British paramountcy that ultimately contributed to the failure of the Trucial system to achieve its suppression objectives in exchange for the security of Pax Britannica. Although maritime violence was significantly reduced, Bushire had effectively established itself as the head of a naval confederacy which turned a blind eye to the uncomfortable relationship between the local economy, the institution of slavery and a clandestine network of slave trafficker resistance.

9.2 – Contributing Factors

Hopper's observations perfectly encapsulate the nature of the Trucial system as a site through which compromises were expressed. Through the process of Trucialisation, the British had constructed a legal space where the priorities of various stakeholders could be articulated and communicated. These included stakeholders in London, India and Trucial Arabia, who all held an interest in the Trucial system through their interrelations within the imperial network. At various moments in time, the priorities of each would coalesce to inform the development of this space through tensions and collaborations between London and India, India and Trucial Arabia and London and Trucial Arabia. These interrelations were expressed through the construction of a normative order designed to justify Britain's role by rendering maritime violence and slave trafficking as practices that were inimical to the interests of each party. The central calculation of these compromises was always to ensure the protection of British paramountcy in Trucial Arabia. Whenever this was threatened, the humanitarian justifications for their presence constructed around the suppression of slave trafficking

⁹²⁶ Hopper, *Slaves of One Master*, p. 247.

and 'piracy' could be temporarily sidelined in favour of more stringent protections for British interests.

The reason the Trucial system failed to achieve its humanitarian objectives was that they were often at odds with wider pragmatic imperial objectives and reliant upon the individual willpower of men on the spot to not only pursue them but to secure sufficient support from their superiors in Bombay and Calcutta to do so. This meant that decisions often undermined the provisions of the Trucial system itself. Bombay's unwillingness to directly intervene against the Wahhabis facilitated a vector of cyclical instability in Trucial politics, which exacerbated the problems they were ostensibly attempting to suppress. It also contributed to numerous crises along the *cordon sanitaire* they had constructed to protect India by destabilising a vital artery in their lines of communication with the metropole. By outsourcing the job of constraining the Wahhabis to the Egyptians and Ottomans, the British created a vacuum into which substantial rivals could repeatedly establish themselves. This facilitated the regeneration of Wahhabi strength. This had inevitably disastrous effects on Bahrain and Oman, who were significant targets of their ambitions. Their decision to assume a tougher stance coincided with anxieties surrounding an alleged 'Muslim Conspiracy' in India, but even here their actions were limited to display of naval strength.

Bombay's unwillingness to afford guarantees of protection to the signatories rendered them vulnerable to attacks and created the instability which precipitated episodes of maritime violence. Wahhabi aggression was often directly or indirectly responsible for political instability in Trucial Arabian territories, which eroded local authority – contributing significantly to both maritime violence and slave trafficking. This was in stark contrast to how officials responded to threats from powers they perceived to be potentially dangerous to their hegemony. Whenever British paramountcy was perceived to be under threat by the penetration of an imperial rival into their sphere of influence, authorities were willing to consider the application of (or appeal for) more significant threats of force. Bombay's initial entry into Trucial politics directly correlated with their

desire to erect a *cordon sanitaire* around India in response to French expansion in the Middle East. Although Napoleon's march to India failed, it was fears of Oman becoming a French base of naval operations that precipitated their entry into the region.

These fears motivated more vigorous interventions through the Trucial period. The Moresby Treaty was a direct response to French slave trafficking in the Mascarenes, while the first Exclusive Agreement with Bahrain was provoked by Turkish ambitions in Arabia. Britain was unwilling to countenance any of the other powers establishing a presence in Arabia because it undermined the delicate web of informal relations they had constructed. As they relied on the collaboration of Trucial rulers to maintain Pax Britannica, any potential threat to these relationships was opposed. Unsurprisingly, this prioritisation of British paramountcy created instability of its own. On the one hand, Company officials preached a strict policy of non-intervention to justify their unwillingness to commit to guarantees of protection from external threats. On the other hand, when British paramountcy was threatened, they willingly offered – albeit temporarily – more significant protections.

They also demonstrated little hesitance to intervene when opportunities presented themselves to expand British Indian interests. Despite declaring a self-imposed absence from internal affairs, they were eager to intervene in the Omani Succession Crisis to secure the division of Oman and Zanzibar, allowing them to influence the respective Sultans more easily. When the involvement of British Indians in the slave trade posed a significant threat to British moral prestige, they also had no qualms about violating Trucial sovereignty to expand their extraterritorial jurisdiction. Non-intervention was a rhetorical tool that could be invoked or repealed depending on the situation. If British paramountcy was threatened or an opportunity to expand their influence was presented, their commitment could be temporarily revoked. However, if an intervention was considered too costly or a precedent for future obligations, a strict observance could be invoked behind alleged respect for the independence of the Trucial rulers.

All of this created significant confusion for the signatories, who found themselves at the mercy of an unpredictable and unreliable protector. While the influence of 'new imperialists' did inform more direct involvement in Trucial affairs, Bushire's conformation to regional expectations was a gradual and sometimes frustrating process. While the Exclusive Agreements concluded this transition period, Britain's official commitment to non-intervention placed the signatories in a bind. While Britain was willing to reinforce its position, they were unwilling to reliably dispense the protection it actively sought. Under socio-political traditions, submission by a protégé to a protector was based on guarantees of protection in exchange for concessions. Official commitment to non-intervention meant rulers were expected to concede to potentially unpopular concessions without the requisite protection in return. This left them vulnerable to reprisals and eroded their already fragile authority, to the detriment of the provisions they were obligated to uphold.

The Trucial system reflected these tensions through the creation of an artificial division between a maritime sphere and a domestic sphere. However, this was a division that fundamentally ignored the intimate connections between these two spaces, which could not be severed through legislation. Through the divisions of the Trucial system, a domestic sphere – where war was permitted – and a maritime sphere – where aggression was strictly forbidden, was constructed. Yet, Bombay's official position that the Trucial ruler's internal affairs were inviolable undermined their efforts to suppress maritime violence. Episodes that British observers categorised as 'piracy' were often the result of escalating tensions, which were eventually expressed through outright warfare. As Bushire was reluctant to mediate disputes that had yet to penetrate their maritime sphere, they failed to prevent these escalations which penetrated the artificial divisions they had imposed.

Similar problems arose in their campaigns against slave trafficking due to delineations between the institution and the trade. As Islam sanctioned slavery, officials feared that any intrusions against the institution would incite the displeasure of the signatories upon whose cooperation Pax Britannica was reliant. This was not entirely unfounded as the massacre at Jeddah and the Ibadi revival had

demonstrated, but fundamentally undermined the treaties they concluded to suppress slave trafficking.⁹²⁷ If officials were unwilling to intervene in the institution, they ensured that the demand for slave labour would continue to facilitate the requirement for a source. After 1850, date farming became increasingly profitable as trade with America began to boom.⁹²⁸ A similar demand for pearls in European and American markets also occurred during the last quarter of the nineteenth century before exploding in the early 1900s.⁹²⁹ Demands for more labour to facilitate this expansion drove the importation of slave labour.⁹³⁰ As Bombay was unwilling to intervene in the domestic sphere, they found themselves in a position where they were facilitating industries that required slave labour, while trying to cut off their supply. Britain's absence from the mainland allowed clandestine systems of resistance to develop as traffickers developed circumventions of the Trucial system.

Attempts to compromise between their abolitionist objectives and the religious and economic justifications for Trucial slavery rendered efforts to suppress slave trafficking futile. Their strategy of facilitating a gradual 'slow death' through the strangulation of the slave trade to engineer a transition from slave labour to free labour was fundamentally flawed. Trucial Arabia's integration into the global economy – facilitated in part by their success against maritime violence – meant their commitment to avoid interference in the institution made suppression of the traffic almost impossible.⁹³¹ This was only further compounded by the absence of the necessary naval resources to reinforce the concessions they had managed to extract. Inadequate deterrents caused significant problems in the campaign against maritime violence, but they caused even more in their efforts against slave trafficking.⁹³² Observing the maritime peace brought financial benefits but abstaining

⁹²⁷ Reilly, 'A Well-Intentioned Failure', pp. 91-115.

⁹²⁸ Hopper, *Slaves of One Master*, pp. 55-57.

⁹²⁹ *Ibid*, pp. 92-96.

⁹³⁰ Matthew Hopper, 'Was Nineteenth-Century East Arabia "A Slave Society"?', in *What Is a Slave Society?: The Practice of Slavery in Global Perspective*, ed. by Noel Lenski and Catherine M. Cameron (Cambridge: Cambridge University Press, 2018), pp. 313-36 and Teelock and Sheriff, 'Slavery and the Slave Trade in the Indian Ocean', p. 36.

⁹³¹ Mark Hobbs, 'Britain's Ineffectual Efforts to Suppress the Slave Trade', Qatar Digital Library <<https://www.qdl.qa/en/britain%E2%80%99s-ineffectual-efforts-suppress-slave-trade>> [accessed on December 15th 2017].

⁹³² Reilly, 'A Well-Intentioned Failure', pp. 97-100.

from slave trafficking potentially threatened them. There was little incentive for Trucial subjects to cooperate – even if their rulers were willing to do so, as abandoning the traffic was of little benefit to themselves. Britain’s desire to protect its position of paramountcy meant this was a compromise they were willing to accept.⁹³³

This gradualist approach was not only reserved for slavery but also informed the entire logic of the Trucial system itself as a site of compromises. Each treaty was signed with its wider implications for British paramountcy in mind. The Moresby Treaty, for example, was limited to a ban on the export of slaves to Europeans as an outright ban would have threatened their relationship with Oman. This approach was undermined by the jurisdictional loopholes it created; different provisions applied to different signatories, while others were sometimes absent entirely. This created significant problems for the PRPG who was expected to enforce provisions that were easily circumvented. The fundamental issue with this approach is that it meant the Trucial system was largely constructed as a *response*, not a *solution* to problems. Treaties were frequently developed to fix deficiencies within existing agreements or in response to crises, rather than as proactive measures. So long as the existing agreements did not disrupt the status quo, authorities in India were largely content to not revisit them.

They were, in effect, measures designed to uphold British paramountcy, while making a nod to the humanitarian objectives they invoked to justify their presence. The success of the Trucial system was not in its ‘victories’ over maritime violence or slave trafficking, but rather in its ability to articulate compromises for the benefit of Pax Britannica. The development of bilateral and multilateral treaties allowed British policymakers to satisfy the demands of legal positivists and conservatives who viewed sovereignty as sacrosanct. Similarly, their gradual expansion of measures against slave trafficking was designed to satisfy their abolitionist credentials and the growing demands of liberal

⁹³³ Joel Quirk, *The Anti-Slavery Project: From the Slave Trade to Human Trafficking* (Philadelphia: University of Pennsylvania Press, 2011), pp. 99-100.

foreign policy, which emphasised their moral commitments. By delineating the institution from the traffic, the British were also able to stabilise their influence over Trucial Arabia, while simultaneously appearing to be acting against it. When significant criticisms emerged, they could deploy resources against the problem through temporary naval measures and distractions, such as the Royal Commission.

By not demanding too many concessions simultaneously and gradually extending further protections, Britain developed an increasingly asymmetrical relationship of co-dependence with the signatories. Beginning with the Maritime Truces (1833) (culminating in the Perpetual Maritime Truces twenty years later), officials provided increased mediation or support in exchange for further concessions, most significantly through the Canning Award (1861) and Treaty of Friendship (1861). Bushire's gradual conformation to local socio-political traditions and expectations of the protector-protégé relationship allowed PRPGs to satisfy some of the signatories' demands while increasing their dependence on British approval. Trucialisation was a process that articulated the priorities of various stakeholders - metropolitan, colonial and indigenous - into a single legal space without compromising British paramountcy. What did this mean for the signatories in the long term? In response to alleged Turkish ambitions over Trucial Arabia, officials established a series of Exclusive Agreements (1892) that bound them to 'abstain from entering into negotiations or making treaties of any sort with any State or Government other than the British without the consent of the said British Government.'⁹³⁴ This was the climax of the process of Trucialisation.

In many respects, their relationship largely conformed to the expectations of a protector-protégé, as British agents increasingly extended their willingness to protect the signatories and mediate their dispute. Although this was an asymmetrical relationship, it was not uncommon for protectors to negotiate on behalf of their protégés with external parties. Their ability to act as mediators in disputes, while protecting the integrity of their protégés from more powerful aggressors, was an

⁹³⁴ John Barrett Kelly, 'The British Position in the Persian Gulf', *The World Today*, 20:6 (1964), 238-49 (p. 241).

important function of a protector's role. In this respect, Britain was not abusing its superordinate position by assuming responsibility for their relations with foreign governments or acting outside accepted socio-political norms. The protection afforded to the local economy was also a boon for those who had vested interests in the growing exports of dates and pearls – although the same could not be said for those engaged in their harvest. Given the vulnerability of local rulers to regime change, British recognition and protection afforded ruling families an avenue to solidify their rulership. However, while rulers were more secure in their positions, they were also much more dependent on British patronage.

This manifested itself in ways which were much more difficult to disentangle themselves from than in traditional protector-protégé relationships. Oman was dependent on Bombay's payment of the subsidy after the loss of Zanzibar under the Canning Award. As Bushire's material power grew and their commitment to non-intervention diminished, their ability to hold their protégés accountable only increased. Rulers who behaved in ways that were deemed inimical to British interests could indirectly or directly be removed. In 1871, Bombay facilitated the return of Turki bin Said to overthrow Azzan bin Qais when his economic reforms were viewed as detrimental. British paramountcy was a double-edged sword. Trucial rulers could submit themselves to the protection of a superordinate with significant firepower, but in exchange, they were expected to conform to British interests – sometimes to their detriment. Their capacity to rule was ultimately judged by the extent to which they were willing to uphold British paramountcy and the normative order established by the Trucial system.

Appendix – British Treaties with Trucial Rulers (1798-1879)

1. Treaty of Friendship, 12th October 1798 (Arabic Translation)

Article I – From the intervention of the Nuwab Etmandood Duola Mirza Mehdy Ali Khan Bahadoor Hushmunt Jung, never shall there be any deviation from this Koulnamah.

Article II – From the recital of the said Nuwab, my heart has become disposed to an increase of the friendship with that State, and from this day forth, the friend of that Sirkar is the friend of this, and the friend of this Sirkar is to be the friend of that Sirkar; and in the same way the enemy of this is to be the enemy of that.

Article III – Whereas frequent applications have been made, and are still made by the French and Dutch people, for a factory... either at Muscat or Bandar Abbas, or at the other ports of this Sirkar, it is therefore written, that whilst warfare shall continue between the English Company and them, never shall, from respect to the Company's friendship, be given to them throughout all of my territories a place to fix or seat themselves in, nor shall they get even ground to stand upon, within this State.

Article IV – As there is a person of the French nation who has been for these several years in my service, and who hath now gone in command of one of my vessels to the Mauritius, I shall, immediately on his return, dismiss him from my service, and expel him.

Article V – In the event of any French vessel coming to water at Muscat, she shall not be allowed to enter the cove into which the English vessels are admitted, but remain outside the cove; and in case of hostilities ensuing here between the French and English ships, the army, and navy, and people of

this Government shall take part in hostility with the English, but on the high seas I am not to interfere.

Article VI – On the occurrence of any shipwreck of a vessel, or vessels, appertaining to the English, there shall certainly be aid and comfort afforded on the part of this Government, nor shall the property be seized on.

Article VII – In the port of Bandar Abbas, whenever the English shall be disposed to establish a factory, making it as a fort, I have no objection to their fortifying the same, and mounting guns thereon, as many as they list, and to forty or fifty English gentlemen residing there, with seven or eight hundred English sepoy; and for the rest, the rate of duties on goods, on buying and selling, will be on the same footing as at Basra and Bushire.

Signed: Said bin Sultan (Muscat and Oman).⁹³⁵

2. Agreement with the Imam of Muscat, 18th January 1800

Article I – The Koulnamah entered into by the Imam of Oman with Medhedi Ali Khan Babader remains fixed and in full force.

Article II – As improper reports, of a tendency to interrupt the existing harmony, and create misunderstanding between the two states, have gone abroad, and have been communicated to the Right Honourable the Governor General... with a view to prevent such evils in the future, we, actuated by sentiments of reciprocal friendship, agree, that an English gentleman of respectability, on the part of the Honourable Company, shall always reside at the Port of Muscat, and be an Agent,

⁹³⁵ London, BL, India Office Records and Private Papers, IOR/R/15/1/732, ff. 290-291, Selections from the Records of the Bombay Government, 1856
<https://www.qdl.qa/en/archive/81055/vdc_100022870192.0x00005b>.

through whom all intercourse between the states shall be conducted, in order that the actions of each Government may be fairly and justly stated, and that no opportunity may be afforded to designed men, who are ever eager to promote dissensions, and that the friendship of the two states may remain unshook till the end of time, and till the sun and moon have finished their revolving career.

Signed: Envoy John Malcolm.⁹³⁶

3. Agreement between Sultan bin Saqr of the Qawasim and Captain David Seton on the part of the East India Company, 6th February 1806

Article I - There shall be peace between the Honourable East India Company and Sultan bin Saqr... and the whole of his dependants and subjects on the shores of Arabia and Persia, and they shall respect the flag and property of the Honourable East India Company, and their subjects wherever and in whatever it may be, and the same the Honourable East India Company towards the Qawasim.

Article II - Should the Qawasim infringe the above, they shall be liable in the sum of dollars 80,000, and on this condition, Captain David Seton agrees to receive from Ameer Sultan bin Suggur the Brig now laying at Muscat and to drop the claims to the cargo, guns etc of the said vessel and the *Shannon*.

Article III - Whatever British property shall be found in the Sorie fleet shall be restored.

Article IV - Should any British vessel touch on the coasts of the Qawasim for wood or water, or be forced on shore by stress of weather, or any other cause, the Qawasim shall assist and protect the

⁹³⁶ Aitchison, *A Collection of Treaties and Engagements with the Native Princes and States of Asia concluded on behalf of the East India Company by the British Governments in India* (London: E. Cox, 1812), p. 188.

said vessel and property, and permit it to be disposed of or carried away, as their owners shall see fit, without claim or demand.

Article V - Should [Saud bin Abdulaziz] compel the Qawasim to infringe this peace, they shall give three months' previous notice in all places.

Article VI - When the above is confirmed and ratified by both parties, the Qawasim shall frequent the English ports from Surat to Bengal as before.

Signed: Captain David Seton (East India Company) and Sultan bin Saqr (Ras al-Khaimah and Sharjah), approved and sanctioned by the Governor-General on 29th April 1806.⁹³⁷

4. The General Treaty for the Cessation of Plunder and Piracy by Land and Sea, 5th

February 1820

In the name of God, the merciful, the compassionate! Praise be to God, who hath ordained peace to be a blessing to his creatures. There is established a lasting peace between the British government and the Arab tribes, who are parties to this contract, on the following conditions:

Article I - There shall be a cessation of plunder and piracy by land and sea on the part of the Arabs, who are parties to this contract, forever.

Article II - If any individual of the people of the Arabs contracting shall attack any that pass by land or sea of any nation whatsoever, in the way of plunder and piracy and not of acknowledged war, he shall be accounted an enemy of all mankind and shall be held to have forfeited both life and goods. An acknowledged war is that which is proclaimed, avowed, and ordered by government against

⁹³⁷ Ibid, pp. 241-42.

government; and the killing of men and taking of goods without proclamation, avowal, and the order of a government, is plunder and piracy.

Article III - The friendly (literally the pacificated) Arabs shall carry by land and sea a red flag, with or without letters in it, at their option, and this shall be in a border of white, the breadth of the white in the border being equal to the breadth of the red, as represented in the margin (the whole forming the flag known in the British Navy by the title of white pierced red), this shall be the flag of the friendly Arabs, and they shall use it and no other.

Article IV - The pacificated tribes shall all of them continue in their former relations, with the exception that they shall be at peace with the British Government, and shall not fight with each other, and the flag shall be a symbol of this only and of nothing further.

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

Article VI - The friendly Arabs, if they choose, shall send an envoy to the British Residency in the Persian Gulf Historically used by the British to refer to the sea area between the Arabian Peninsula and Iran. Often referred to as The Gulf or the Arabian Gulf. with the necessary accompaniments, and he shall remain there for the transaction of their business with the Residency; and the British Government if it chooses, shall send an envoy also to them in like manner; and the envoy shall add his signature to the signature of the Chief in the paper (Register) of their vessels, which contains the length of the vessel, its breadth, and tonnage; the signature of the envoy to be renewed every year. Also, all such envoys shall be at the expense of their own party.

Article VII - If any tribes, or others, shall not desist from plunder and piracy, the friendly Arabs shall act against them according to their ability and circumstances, and an arrangement for this purpose shall take place between the friendly Arabs and the British at the time when plunder and piracy shall occur.

Article VIII - The putting men to death after they have given up their arms is an act of piracy and not of acknowledged war; and if any tribe shall put to death any persons, either Muhammadans or others, after they have given up their arms, such tribe shall be held to have broken the peace; and the friendly Arabs shall act against them in conjunction with the British, and, God willing, the war against them shall not cease until the surrender of those who performed the act and of those who ordered it.

Article IX - The carrying off of slaves, men, women, or children from the coasts of Africa or elsewhere, and the transporting them in vessels, is plunder and piracy, and the friendly Arabs shall do nothing of this nature.

Article X -The vessels of the friendly Arabs, bearing their flag above described, shall enter into all the British ports and into the ports of the allies of the British so far as they shall be able to effect it; and they shall buy and sell therein, and if any shall attack them the British Government shall take notice of it.

Article XI - These conditions aforesaid shall be common to all tribes and persons, who shall hereafter adhere thereto in the same manner as to those who adhere to them at the time present.

Signed: Major-General William Keir Grant, Hassan bin Rahamh (Hatt and Falna), Rajib bin Ahmad (Jazirah Al Hamra), Shakhbut bin Dhiyab (Abu Dhabi), Said bin Saif on behalf of Mohammad bin Haza bin Zaal (Dubai), Hassan bin Ali (Rams and Al Dhaya), Sultan bin Saqr (Ras al-Khaimah and Sharjah),

Rashid bin Humaid (Ajman), Abdullah bin Rashid (Umm Al Quwain) and Ahmed ibn Muhammad and Salman bin Ahmad (Bahrain).⁹³⁸

5. Moresby Treaty, 29th August 1822 (English Version)

Article I – The Imam to agree that all external traffic in slaves shall cease, and be abolished forever from his dominions and dependencies.

Article II – The Imam to agree that all vessels carrying the flag of His Highness, or belonging to or navigated by his subjects, found or convicted of being engaged in the traffic of slaves to other places than his dominions, shall be considered as pirates, and confiscated; the owners, captain, and officers shall be treated as pirates, and have their goods and property forfeited to the Imam.

Article III – That all other persons serving on board such vessels as seamen, or in any capacity, who shall not give information of such unlawful transactions to the Imam or his governors within three months after the period of the termination of the voyage, shall be punished by fine, imprisonment, and corporal infliction.

Article IV – His Highness engages to appoint at such places as His Majesty the King of Great Britain may wish, habitations for the residence of Consuls, Agents, and others charged with the suppression of the Slave Trade by English subjects; such Consuls, Agents, or others, are to receive the assistance, on application, of His Highness the Imam, or his Lieutenant Governor, or others, for the apprehension and detention of all English subjects who may attempt the traffic.

⁹³⁸ London, BL, India Office Records and Private Papers, IOR/L/PS/10/606, ff. 131-132, File 2902/1916 Treaties and Engagements between the British Government and the Chiefs of the Arabian Coast of the Persian Gulf <https://www.qdl.qa/en/archive/81055/vdc_100038130333.0x000049>.

Article V – That no individual may plead ignorance of the limit within which the Slave Trade is confined, the Imam to agree that all vessels under His Highness' flag commanded or owned by any of his subjects, found trading in slaves to the southward of the parallel of Cape Delgado, His Highness' most southern possessions in Africa, or to the eastward of a line drawn from that Cape, past the east point of the Isle Socotra, on to the Persian shore, shall be liable to seizure and confiscation by any of His Britannic Majesty's cruisers, or Officers of Customs, or others deputed by any of His Britannic Majesty's Governors, and dealt with the same as if such ship or vessel seized was navigated under the English flag.

Article VI – His Highness the Imam must engage to publish, in all the dominions and dependencies of his Government, the present Treaty, and to consider it legally binding on them all; and finally to agree that the Treaty is provision until ratified and confirmed by His Majesty's Ministers on the part of the King of Great Britain, which ratification is to be forwarded without loss of time to His Highness the Imam; nevertheless, the Treaty is to be carried into full effect from the present date.

Signed: Captain Fairfax Moresby.⁹³⁹

6. Moresby Treaty, 4th September 1822 (Arabic Translation)

In the name of the Most High God!

Answers to the requisitions which were made by Captain Morseby on the part of the Governor Sir Robert Farquhar Bahadoor, may his glory be eternal! which (requisitions) are mentioned on the back of this paper.

⁹³⁹ Thomas, R. Hughes, *Treaties, Agreements, and Engagements, between the Honourable East India Company and the Native Princes, Chiefs, and States in Western India, the Red Sea, the Persian Gulf, also between Her Britannic Majesty's Government and Persia, Portugal and Turkey* (Bombay: Bombay Education Society's Press, 1851), pp. 317-18

Article I - That we did write last season to all our Officers to prohibit the sale of slaves to all the Christian nations, and we will send further instructions to them on the subject.

Article II - That we will send orders to all our Officers who are employed throughout our dominions to the effect that if they find any Arab vessel buying slaves for the purpose of taking them to Christian countries, they must seize the vessel and inflict punishment on persons connected with her, even if they be bound for the Island of Madagascar.

Article III - That we will instruct our Officers and notify throughout our dominions that the crew of a vessel conveying slaves for sale to Christian countries are required, on their return to an Arab port, to give information to the Governor of the port in order that he may punish the Commander, but that if they conceal (the fact), all shall suffer punishment.

Article IV - That a written order which you wish to have, permitting the stationing of a person on your part in Zanzibar and the neighbouring parts for the purpose of obtaining intelligence of the sale of slaves to Christian nations, has been granted, and will reach the hands of the respected Captain Moresby. May his dignity endure Muscat.

Article V - That a written permission which you wish to have, permitting you, after four months, to seize vessels conveying slaves for sale to Christian countries, will reach through the hands of the said Captain.

Article VI - That we will write to our Governors regarding the granting of a pass to every vessel proceeding on a voyage, specifying therein the port she sails from and the port she is bound to, and you may seize every vessel you may fall in with beyond the Island of Madagascar and in the sea of Mauritius after four months from the date of the written permission alluded to in the fifth requisition; and if any vessel be found on this side, the matter should come to us, provided she do not possess a pass from the Governor of the port of departure.

Signed: Said bin Sultan (Muscat and Oman)⁹⁴⁰

7. Addition to the Moresby Treaty, 9th September 1822 (Arabic Translation)

In the name of the Most High God!

Answer to the additional requisition made by Captain Moresby for the suppression (of the sale of) slaves carried to Christian countries.

I permit the Captains of ships belonging to the English government to seize all Arab vessels carrying slaves to Christian countries which may be found beyond a straight line drawn from the Cape Delgado and passing sixty miles from Socotra on to Diu after the date of the written permission mentioned in the fifth requisition, but not to seize vessels found beyond the line which may have been driven by stress of weather or any other unavoidable circumstance.

Signed: Said bin Sultan (Muscat and Oman)⁹⁴¹

8. Article of Agreement, 17th April 1838

In the event of vessels connected with my ports, or belonging to my subjects, coming under the suspicion of being employed in the carrying off (literally stealing) and embarkation of slaves, men, women, or children, I, Sultan bin Saqr, Sheikh of the Qawasim Tribe, do hereby agree to their being detained and searched, whenever and wherever they may be fallen in with on the seas, by the cruisers of the British Government; and further that upon its being ascertained that the crews have

⁹⁴⁰ Aitchison, *A Collection of Treaties, Engagements, and Sunnuds*, p. 211-15.

⁹⁴¹ *Ibid.*

carried off (literally "stolen") and embarked slaves, their vessels & shall be liable to seizure and confiscation by the aforesaid cruisers.

Signed: Sultan bin Saqr (Ras al-Khaimah and Sharjah). Additional agreements were signed by Rashid bin Humaid (Ajman), Maktoum bin Butti (Dubai) and Khalifa bin Shakhbut (Abu Dhabi).⁹⁴²

9. Additional Articles of Agreement, 3rd July 1839

I do hereby declare, that I bind and pledge myself to the British Government in the following engagement.

Article I – That the government cruisers, whenever they may meet any vessel belonging to myself or my subjects, beyond a direct line drawn from Cape Delgado, passing two degrees seaward of the island of Socotra, and ending at Cape Guadel, and shall suspect that such vessel is engaged in the slave trade, that said cruisers are permitted to detain and search it.

Article II – Should it on examination be proved that any vessel belonging to myself or my subjects is carrying slaves, whether men, women or children for sale, beyond the aforesaid line, then the government cruisers shall seize and confiscate such vessel and her cargo. But if the aforesaid vessel shall pass beyond the aforesaid line, owing to stress of weather or other case of necessity not under control, then she shall not be seized.

Article III – As the selling of males and females, whether grown up or young, who are hoor, or free, is contrary to the Mahomedan religion; and whereas the Somali tribe is included in the hoor, or free, I do hereby agree, that the sale of males and females, whether young or old, of the Somali tribe, shall

⁹⁴² Ibid, pp. 254-55.

be considered as piracy, and that after four months from this date all those of my people convicted of being concerned in such an act shall be punished the same as pirates.

Signed: Sultan bin Saqr (Ras al-Khaimah and Sharjah), Khalifa bin Shakhbut (Abu Dhabi) and Maktoum bin Butti (Dubai).⁹⁴³

10. Additional Articles Regarding the Suppression of the Foreign Slave Trade, 17th December

1839

I agree that the following articles be added to the [Moresby Treaty].

Article I – That the government cruisers, whenever they may meet any vessel belonging to my subjects beyond a direct line drawn from Cape Delgado, passing two degrees seaward of the island of Socotra, and ending at Pussein, and shall suspect that such a vessel is engaged in the slave trade, the said cruisers are permitted to detain and search it.

Article II – Should it, on examination, be found that any vessel belonging to my subjects is carrying slaves, whether men, women or children, for sale, beyond the aforesaid line, then the government cruisers shall seize and confiscate such vessel and her cargo; but if the said vessel shall pass beyond the aforesaid line owing to stress of weather, or other case of necessity not under control, then she shall not be seized.

Article III – As the selling of males and females, whether grown up or young, who are hoor, or free, is contrary to the Mahomedan religion; and whereas the Somalis are included in the hoor, or free, I do hereby agree that the sale of males and females, whether young or old, of the Somali tribe shall be

⁹⁴³ Ibid, pp. 244-55.

considered as piracy; and that, four months from this date, all those of my people convicted of being concerned in such an act shall be punished as pirates.

Signed: Said bin Sultan (Muscat and Oman).⁹⁴⁴

11. The Treaty of Commerce, 31st May 1839

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Sultan of Muscat and its dependencies, being desirous to confirm and strengthen the good understanding which now subsists between them, and to promote by means of a convention the commercial intercourse between their respective subjects; and His Highness the Sultan of Muscat being, moreover, desirous to record in a more formal manner the engagements... for the perpetual abolition of the slave trade between the dominions of His Highness and all Christian nations... have agreed upon and concluded the following Articles.

Article I - The subjects of His Highness the Sultan of Muscat shall be at liberty to enter, reside in, trade with and pass with their merchandize through all parts of Her Britannic Majesty's dominions in Europe and in Asia, and shall enjoy in those dominions all the privileges and advantages, with respect to commerce or otherwise, which are or may be accorded therein to the subjects or citizens of the most favoured nations; and the subjects of Her Britannic Majesty shall, in like manner, have full liberty to enter, reside in, trade with and pass with their merchandize through all parts of the dominions of His Highness the Sultan of Muscat, and shall in those dominions enjoy all the privileges and advantages, with respect to commerce or otherwise, which are or may be accorded therein to the subjects or citizens of the most favoured nation.

⁹⁴⁴ Ibid, p. 226.

Article II - British subjects shall be at liberty to purchase, sell, or hire land or houses in the dominions of His Highness the Sultan of Muscat. The houses, warehouses, or other premises of British subjects, or of persons actually in the service of British subjects in the dominions of His Highness the Sultan of Muscat, shall not be forcibly entered, nor on any pretext searched without the consent of the occupier, unless with the cognizance of the Consul or British Resident Agent. But such Consul or Resident Agent, on just cause being adduced by the authorities of His Highness the Sultan of Muscat, shall send a competent person, who, in concert with the Officers of His Highness the Sultan of Muscat, shall conduct the search, and shall prevent the use of unnecessary violence or of improper resistance.

Article III - The two high contracting parties acknowledge reciprocally to each other the right of appointing Consuls to reside in each other's dominions wherever the interests of commerce may require the presence of such Officers, and such Consuls shall at all times be placed in the country in which they reside on the footing of the Consuls of the most favoured nations. Each of the high contracting parties further agrees to permit his own subjects to be appointed to consular offices by the other contracting party, provided always that the persons so appointed shall not begin to act without the previous approbation of the sovereign whose subjects they may be. The public functionaries of either government residing in the dominions of the other shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries.

Article IV - Subjects of the dominions of His Highness the Sultan of Muscat, actually in the service of British subjects in those dominions, shall enjoy the same protection which is granted to British subjects themselves, but if such subjects of the dominions of His Highness the Sultan of Muscat shall be convicted of any crime or infraction of the law requiring punishment, they shall be discharged by the British subject in whose service they may be, and shall be delivered over to the authorities of His Highness the Sultan of Muscat.

Article V - The authorities of His Highness the Sultan of Muscat shall not interfere in disputes between British subjects or between British subjects and the subjects or citizens of other Christian nations. When differences arise between a subject of the dominions of His Highness the Sultan of Muscat and a British subject, if the former is the complainant, the cause shall be heard by the British Consul or Resident Agent, who shall administer justice thereupon. But if the British subject is the complainant against any of the subjects of His Highness the Sultan of Muscat, or the subjects of any other Mahomedan power, then the cause shall be decided by the highest authority of His Highness the Sultan of Muscat, or by persons nominated by him, but in such case, the cause shall not be proceeded in except in the presence of the British Consul or Resident Agent, or of some person deputed by one or other of them, who shall attend at the Court House, or where such matter shall be tried. In causes between a British subject and a native of the dominions of His Highness the Sultan of Muscat, whether tried before the British Consul or Resident Agent, or before the above-mentioned authority of His Highness the Sultan of Muscat, the evidence of a man proved to have given false testimony on a former occasion shall not be received.

Article VI - The property of a British subject who may die in the dominions of His Highness the Sultan of Muscat, or of a subject of His Highness the Sultan of Muscat who may die in the British dominions, shall be delivered over to their heirs, or executors, or administrators of the deceased, or to the respective Consul or Resident Agent of the contracting parties, in default of such heirs, or executors, or administrators.

Article VII - If a British subject shall become bankrupt in the dominions of His Highness the Sultan of Muscat, the British Consul or Resident Agent shall take possession of all the property of such bankrupt, and shall give it up to his creditors to be divided among them. This having been done, the bankrupt shall be entitled to full discharge of his creditors, and he shall not at any time afterwards be required to make up his deficiency, nor shall any property he may afterwards acquire be considered liable for that purpose. But the British Consul or Resident Agent shall use his endeavours

to obtain, for the benefit of the creditors, any property of the bankrupt in another country, and to ascertain that everything possessed by the bankrupt at the time when he became insolvent has been given up without reserve.

Article VII - If a subject of His Highness the Sultan of Muscat should resist or evade payment of his just debts to a British subject, the authorities of His Highness shall afford to the British subject every aid and facility in recovering the amount due, and in like manner the British Consul or Resident Agent shall afford every aid and facility to subjects of His Highness the Sultan of Muscat in recovering debts justly due to them from a British subject.

Article IX - No duty exceeding 5 per cent shall be levied at the place of entry in the dominions of His Highness the Sultan of Muscat on any goods, the growth, produce, or manufacture of the dominions of Her Britannic Majesty imported by British vessels, and this duty shall be deemed to be a full payment of all import and export and tonnage duties of license to trade, of pilotage and anchorage, and of any other charge by government whatever upon the vessels or upon the goods so imported or exported. Nor shall any charge be made on that part of the cargo which may remain on board unsold; and no additional or higher duty shall be levied upon these goods when afterwards transported from one place, to another in the dominions of His Highness; but the above-mentioned duty having once been paid, the goods may be sold by wholesale or retail without any further duty. No charge whatever shall be made on British vessels which may enter the ports of His Highness for the purpose of refitting or for refreshments, or to enquire about the state of the market.

Article X - No articles whatever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan of Muscat, but the trade between the dominions of Her Britannic Majesty and those of His Highness the Sultan of Muscat shall be perfectly free, subject to the above-mentioned duty upon goods imported, and to no other ; and His Highness the Sultan of Muscat hereby engages not to permit the establishment of any monopoly or exclusive privilege of sale within his dominions except in the articles of ivory and gum copal on that part of the east coast

of Africa from the Port of Tangate situated in about five and a half degrees of south latitude to the Port of Quila lying in about seven degrees south of the equator, both ports inclusive; but in all other ports and places in His Highness's dominions there shall be no monopoly whatever, but the subjects of Her Britannic Majesty shall be at liberty to buy and sell with perfect freedom from whomsoever and to, whomsoever they chose, subject to no other duty by government than that before mentioned.

Article XI - If any disputes should arise in the dominions of His Highness the Sultan of Muscat as to the value of goods which shall be imported by British Merchants and on which the duty of 5 per cent is to be levied, the Custom Master, or other authorized Officer acting on the part of the government of His Highness the Sultan of Muscat, shall be entitled to demand one-twentieth part of the goods in lieu of the payment of 5 per cent, and the Merchant shall be bound to surrender the twentieth part so demanded whenever, from the nature of the articles, it may be practicable to do so; but the Merchant having done so, shall be subject to no further demand on account of customs on the other nineteen- twentieths of those goods in any part of the dominions of His Highness the Sultan of Muscat to which he may transport them. But if the Custom Master should object to levy the duty in the manner aforesaid by taking one-twentieth part of the goods, or if the goods should not admit of being so divided, then the point in dispute shall be referred to two competent persons, one chosen by the Custom Master and the other by the importer, and a valuation of the goods shall be made, and if the referees shall differ in opinion, they shall appoint an arbitrator whose decision shall be final, and the duty shall be levied according to the value thus established.

Article XII - It shall not be lawful for any British Merchant to expose his goods for sale for the space of three days after the arrival of such goods, unless, before the expiration of such three days, the importer and Custom Master shall have agreed as to the value of such goods. If the Custom Master shall not within three days have accepted one of the two modes proposed for ascertaining the value of the goods, the authorities of His Highness the Sultan of Muscat, on an application being made to

them to that effect, shall compel the Custom Master to choose one of the two modes by which the amount of the customs to be levied is to be determined.

Article XIII - If it shall happen that either the Queen of England or His Highness the Sultan of Muscat should be at war with another country, the subjects of Her Britannic Majesty and the subjects of His Highness the Sultan of Muscat shall nevertheless be allowed to pass such country through the dominions of either power with merchandize of every description except warlike stores, but they shall not be allowed to enter any port or place actually blockaded or besieged.

Article XIV - Should a vessel under the British flag enter a port in the dominions of His Highness the Sultan of Muscat in distress, the local authorities at such port shall afford all necessary aid to enable the vessel to refit and to prosecute her voyage, and if any such vessel should be wrecked on the coast of the dominions of His Highness the Sultan of Muscat, the authorities of His Highness shall give all the assistance in their power to recover and to deliver over to the owners all the property that can be saved from such vessel. The same assistance and protection shall be afforded to vessels of the dominions of His Highness the Sultan of Muscat, and property saved therefrom under similar circumstances in the ports and on the coasts of the British dominions.

Article XV - His Highness the Sultan of Muscat hereby renews and confirms the engagements entered into by His Highness with Great Britain on the 10th of September 1822 for the entire suppression of slave trade between his dominions and all Christian countries; and His Highness further engages that the ships and vessels of war belonging to the East India Company shall be allowed to give full force and effect to the stipulations of the said Treaty, agreeably with the conditions prescribed therein, and in the same manner as the ships and vessels of Her Britannic Majesty.

Article XVI - It is further acknowledged and declared by the high contracting parties that nothing in this Convention is intended in any way to interfere with, or rescind any of the rights or privileges

now enjoyed by the subjects of His Highness the Sultan of Muscat in respect to commerce and navigation within the limits of the East India Company's Charter.

Article XVII - The present Convention shall be ratified, and the ratifications thereof shall be exchanged at Muscat or Zanzibar as soon as possible... within the space of fifteen months from the date hereof.

Signed: Said bin Sultan (Muscat and Oman)⁹⁴⁵

12. Treaty of Peace between Said bin Sultan of Muscat and Said Hamud of Sohar, 23rd

December 1839

Article I - That from this day there shall be a perfect, lasting, and established peace between the two contracting parties.

Article II - That the subjects of the two contracting parties shall carry on a free intercourse with each other's territory for purposes of trade without hindrance or molestation.

Article III - Whenever subjects of either of the two contracting parties remove voluntarily from the territories of the one and take up their residence in those of the other, no blame shall attach to the ruler of the territory in which they settle, and moreover it shall not be incumbent upon him to cause them to return to their original country unless he thinks proper to do so.

Article IV - That neither of the two contracting parties shall commit any sort of aggression upon the territories of the other, neither openly nor secretly, and shall not excite others to do so.

⁹⁴⁵ Ibid, pp. 93-97.

Article V - In the event of either of the two contracting parties proceeding to punish any rebellious person among his own subjects, the other shall not assist or support such rebel either openly or secretly, nor shall encourage him in his rebellion by word or by letter.

Article VI - As the district of Rustaq, which belongs to Hamud bin Azzan is surrounded by the territory of His Highness Said bin Sultan, the communication and road between the aforesaid district and the other territories of Hamud shall not be interrupted or closed.

Article VII - In the event of an enemy arising against Hamud and making war upon him, His Highness Said bin Sultan is to support him in every way to the utmost of his power and ability.

These are the conditions upon which this engagement has been made on both sides and with the consent of both parties, and to this, the Almighty is a witness.

Signed: Said bin Sultan (Muscat and Oman) and Hamud bin Azzan (Sohar)⁹⁴⁶

13. Ten-Year Maritime Truce, 1st June 1843

Article I - That from the 1st June 1843, there shall be a cessation of hostilities at sea between our respective subjects and dependants, and that from the above date until the termination of the month of May 1853, an inviolable truce shall be established, during which period our several claims upon each other shall rest in abeyance.

Article II - That in the event of any of our subjects or dependants committing any acts of aggression at sea upon those of any of the parties to this agreement, we will immediately afford full redress upon the same being brought to our notice.

⁹⁴⁶ Ibid, pp. 235-36.

Article III - That in the event of any acts of aggression being committed at sea upon any of our subjects or dependants, we will not proceed immediately to retaliate, but will inform the British Resident or the Commodore at Bassidore, who will forthwith take the necessary steps for obtaining reparation for the injury inflicted, provided that its occurrence can be satisfactorily proved.

Article IV - That on the termination of the month of May 1853, by God's blessing we will endeavour to arrange either an extension of this truce, or a firm and lasting peace; but in the event of our being unable to come to a satisfactory adjustment regarding our respective claims, we hereby bind ourselves to give notice, on or about the above date, to the British Resident, of our intention to renew hostilities after the expiration of the term now fixed upon for this truce, viz., the end of the month of May 1853.

Signed: Sultan bin Saqr (Ras al-Khaimah and Sharjah), Khalifa bin Shakhbut (Abu Dhabi), Maktoum bin Butti (Dubai), Abdullah bin Rashid (Umm Al Quwain) and Abdelaziz bin Rashid (Ajman).⁹⁴⁷

14. The Hamerton Treaty, 2nd October 1845

Article I - His Highness the Sultan of Muscat here engages to prohibit, under the severest penalties, the export of slaves from his African dominions, and to issue orders to his Officers to prevent and suppress such trade.

Article II - His Highness the Sultan of Muscat further engages to prohibit, under the severest penalties, the importation of slaves from any part of Africa into his possessions in Asia, and to use his utmost influence with all the Chiefs of Arabia, the Red Sea, and the Persian Gulf, in like manner, to prevent the introduction of slaves from Africa into their respective territories.

⁹⁴⁷ Ibid, pp. 258-59.

Article III - His Highness the Sultan of Muscat grants to the ships of Her Majesty's Navy, as well as to those of the East India Company, permission to seize and confiscate any vessels, the property of His Highness or of his subjects, carrying on the slave trade, excepting only such as are engaged in the transport of slaves from one port to another of his own dominions in Africa between the port of Lamoo to the north and its dependencies, the northern limit of which is the north point of Kuyhoor Island in 1° 57' (one degree and fifty-seven minutes) South Latitude, and the port of Kulwa to the south and its dependencies, the southern limit of which is the Songa Manora or Pagoda Point in 9° 2' (nine degrees and two minutes) South Latitude, including the Islands of Zanzibar, Pemba, and Monies.

Article IV - This agreement to commence and have effect from the first day of January 1847...

Signed: Captain Atkins Hamerton and Said bin Sultan (Muscat and Oman).⁹⁴⁸

15. Treaties of Engagement, 30th April 1847

It having been intimated to me by Major Hennell, the Resident in the Persian Gulf, that certain conventions have lately been entered into by His Highness the Imam of Muscat and other powers with the British Government for the purpose of preventing the exportation of slaves from the African coast and elsewhere, and it having, moreover, been explained to me that, in order to the full attainment of the objects contemplated by the aforesaid conventions, the concurrence and co-operation of the Chiefs of the several ports situated on the Arabian coast of the Persian Gulf are required, accordingly I, Sheikh Sultan bin Saqr, Chief of the Qawasim tribe, with a view to strengthening the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my

⁹⁴⁸ Ibid, p. 227-28.

vessels and those belonging to my subjects or dependants; such prohibition to take effect from the 10th December 1847.

And I do further consent that whenever the cruisers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants, suspected of being engaged in the slave trade, they may detain and search them and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coasts of Africa, or elsewhere, upon any pretext whatsoever, they (the government cruisers) shall seize and confiscate the same.

Signed: Sultan bin Saqr (Ras al-Khaimah and Sharjah). Additional treaties were secured with Saeed bin Tahnun (Abu Dhabi), Maktoum bin Butti (Dubai), Abdelaziz bin Rashid (Ajman), Abdullah bin Rashid (Umm Al Quwain) and Muhammad bin Khalifa (Bahrain).⁹⁴⁹ A further engagement was secured with Saif bin Hamud (Sohar) on 22nd May 1849.⁹⁵⁰

16. Treaty of Peace in Perpetuity (Perpetual Maritime Truce), 24th August 1853

Article I - That from this date, 4th May 1853, and hereafter, there shall be a complete cessation of hostilities at sea between our respective subjects and dependants, and a perfect maritime truce shall endure between ourselves and between our successors, respectively, for evermore.

Article II - That in the event (which God forbid) of any of our subjects or dependants committing an act of aggression at sea upon the lives or property of those of any of the parties to this agreement, we will immediately punish the assailants and proceed to afford full redress upon the same being brought to our notice.

⁹⁴⁹ Ibid, pp. 255-57.

⁹⁵⁰ Ibid, p. 237.

Article III - That in the event of an act of aggression being committed at sea by any of those who are subscribers with us to this engagement upon any of our subjects or dependants, we will not proceed immediately to retaliate, but will inform the British Resident or the Commodore at Bassidore, who will forthwith take the necessary steps for obtaining reparation for the injury inflicted, provided that its occurrence can be satisfactorily proved.

We further agree that the maintenance of the peace now concluded amongst us shall be watched over by the British Government, who will take steps to ensure at all times the due observance of the above Articles, and God of this is the best witness and guarantee.

Signed: Sultan bin Saqr (Ras al-Khaimah and Sharjah), Saeed bin Tahnun (Abu Dhabi), Saeed bin Butti (Dubai), Humaid bin Rashid (Ajman) and Abdullah bin Rashin (Umm Al Quwain).⁹⁵¹

17. The Canning Award, 2nd April 1861

Article I - That His Highness Majid be declared ruler of Zanzibar and the African dominions of His late Highness Said bin Sultan

Article II - That the ruler of Zanzibar pay annually to the ruler of Muscat a subsidy of 40,000 crowns.

Article III - That His Highness Majid pay to His Highness Thuwaini the arrears of subsidy for two years, or 80,000 crowns. I am satisfied that these terms are just and honourable to both of you; and as you have deliberately and solemnly accepted my arbitration, I shall expect that you will cheerfully and faithfully abide by them, and that they will be carried out without unnecessary delay. The annual payment of 40,000 crowns is not to be understood as a recognition of the dependence of Zanzibar upon Muscat, neither is it to be considered as merely personal between your Highness and

⁹⁵¹ Ibid, pp. 259-60.

your brother Majid. It is to extend to your respective successors, and is to be held to be a final and permanent arrangement, compensating Muscat for the abandonment of all claims upon Zanzibar and adjusting the inequality between the two inheritances derived from your father His late Highness Said bin Sultan, the venerated friend of the British Government, which two inheritances are to be henceforward distinct and separate.

Signed: Governor-General Charles Canning, Thuwaini bin Said (Muscat and Oman) and Majid bin Said (Zanzibar).⁹⁵²

18. The Friendly Convention, 21st May 1861

Article I - I recognize as valid and in force all former Treaties and Conventions agreed to between the Chiefs of Bahrain and the British Government, either directly or through the mediation of its representatives in this Gulf.

Article II - I agree to abstain from all maritime aggressions of every description, from the prosecution of war, piracy and slavery by sea, so long as I receive the support of the British Government in the maintenance of the security of my own possessions against similar aggressions directed against them by the Chiefs and tribes of this Gulf.

Article III - In order that the above engagements may be fulfilled, I agree to make known all aggressions and depredations which may be designed, or have taken place at sea, against myself, territories, or subjects, as early as possible, to the British Resident in the Persian Gulf, as the arbitrator in such cases, promising that no act of aggression or retaliation shall be committed at sea by Bahrein, or in the name of Bahrein, by myself or others under me, on other tribes without his

⁹⁵² Ibid, p. 231-33.

consent or that of the British Government, if it should be necessary to procure it. And the British Resident engages that he will forthwith take the necessary steps for obtaining reparation for every injury proved to have been inflicted, or in course of infliction by sea upon Bahrein, or upon its dependencies in this Gulf. In like manner, I, Hakim Muhammad bin Khalifa, will afford full redress for all maritime offences, which in justice can be charged against my subjects, or myself, as the ruler of Bahrain.

Article IV - British subjects of every denomination, it is understood, may reside in, and carry on their lawful trade in the territories of Bahrein, their goods being subject only to an ad valorem duty of 5 per cent. in cash or in kind. This amount once paid shall not be demanded again on the same goods if exported from Bahrein to other places; and in respect to the treatment of British subjects and dependants, they shall receive the treatment and consideration of the subjects and dependants of the most favoured people. All offences which they may commit, or which may be committed against them, shall be reserved for the decision of the British Resident, provided the British Agent located at Bahrein shall fail to adjust them satisfactorily. In like manner, the British Resident will use his good offices for the welfare of the subjects of Bahrain in the ports of the maritime Arab tribes of this Gulf in alliance with the British Government.

Article V - These Articles of alliance shall have effect from the date of ratification or approval by the British Government.

Signed: PRPG Felix Jones, Muhammad bin Khalifa (Bahrain) and his brother Ali bin Khalifa, his cousins Hamid bin Muhammad, Ahmed bin Mubarak and Khalifa bin Muhammad.⁹⁵³

⁹⁵³ Ibid, pp. 264-66.

19. Treaty for the Abolition of the Slave Trade, 14th April 1873

Article I - The import of slaves from the coast or islands of Africa or elsewhere into the dominions of Muscat, whether destined for transport from one port of the Sultan of Muscat's dominions to another, or for conveyance to foreign ports, shall entirely cease, and any vessels engaged in the transport or conveyance of slaves after this date shall be liable to seizure and condemnation by all such Naval and other Officers or Agents, and such Courts as may be authorized for that purpose on the part of Her Britannic Majesty; and all persons hereafter entering the Sultan's dominions and dependencies shall be free.

Article II - The Sultan engages that all public markets in his dominions for slaves shall be entirely closed.

Article III - The Sultan engages to protect, to the utmost of his power, all liberated slaves, and to punish severely any attempt to molest them or reduce them again to slavery.

Article IV - Her Britannic Majesty engages that natives of Indian States under British protection shall, from and after a date to be hereafter fixed, be prohibited from possessing slaves, and in the meanwhile from acquiring any fresh slaves.

Article V - The present Treaty shall be ratified by Her Majesty, and the ratification shall be forwarded to Muscat as soon as possible.

Signed: Sir Henry Bartle Frere and Turki bin Said (Muscat and Oman).⁹⁵⁴

⁹⁵⁴ London, The National Archive, Foreign Office, FO 371/109817, p.54, *A Collection of Treaties and Engagements relating to the Persian Gulf Shaikhdoms and the Sultanate of Muscat and Oman in force up to the end of 1953*, 1954 <<https://www.agda.ae/en/catalogue/tna/fo/371/109817/n/11>>.

20. Absconding Debtors Agreement, 24th June 1879

Article I - In the event of a runaway seeking refuge in our territories, whether by sea or land, to consider it our duty to at once restore him to the Chief from whose jurisdiction he may have absconded.

Article II - In the event of it being proved that a runaway is protected by any Chief, and no delivered up, or his liability accepted when demanded by the Government Agent, such Chief shall be liable to a fine of 50 dollars in addition to all just claims proven against such runaway.

Article III - Further, if the Chief harbouring such runaway refuse to deliver him up or accept his liability when demanded by the Government Agent, and permit him to proceed to the pearl bank in pursuance of his vocation, such Chief shall be liable to a fine of 100 dollars in addition to all just proven claims against the runaway.

Article IV - When facts are disputed a council of arbitration (mejlis) will be convened, at which the Government Agent will preside, the disputing parties and all the Trucial Chiefs sending delegates, or if they wish attending themselves. The decision of the council to be binding only when confirmed by Her Britannic Majesty's Political Resident in the Persian Gulf.

Article V - These fines are only to be enforced when Her Britannic Majesty's Resident in the Persian Gulf has satisfied himself that the Chief complained against is really at fault and fairly liable.

Signed: Salim bin Sultan (Sharjah), Humaid bin Abdullah (Ras al-Khaimah), Zayed bin Khalifa (Abu Dhabi), Hasher bin Maktoum (Dubai), Rashid bin Humaid (Ajman) and Ahmed bin Abdullah (Umm Al Quwain).⁹⁵⁵

⁹⁵⁵ Lorimer, *Gazetteer of the Persian Gulf*, pp. 785-86.

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