



Slavery in Islamic West Africa

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INTRODUCTION

The time of revolutions in West Africa refers to a series of reform movements, also known as the West African jihads, which swept across the western and central Sudan region from the late seventeenth century to the mid-nineteenth century. They began with Nāṣir al-Dīn's 1670s failed movement along the Senegal River on the contemporary border between Mauritania and Senegal. In the eighteenth century, the Imamates of Fuuta Bundu (1698–1699), Fuuta Jaalon (1726–1727) and Fuuta Toro (1769–1776), located in modern-day Guinea and Senegal, were established through revolution. Starting in 1804 and centered on Hausaland in contemporary northwestern Nigeria, the Sokoto jihad led to the formation of the largest state in precolonial sub-Saharan Africa, the Sokoto Caliphate (1804–1903), which at its greatest extent in the 1850s stretched westward to present-day Burkina Faso, north into modern Niger, east into contemporary Cameroon and south into modern southwestern Nigeria. It did so by conquering both Muslim and non-Muslim states. This revolution was followed by the establishment of the Caliphate of Hamdallāhi (c.1820–1862) centered on Māsina in present-day central Mali in the second decade of the nineteenth century which was subsequently overthrown and included in the states established by 'Umar Taal in the 1850s and

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1860s which lasted until they were conquered by the French in the 1880s and 1890s.

These jihad revolutions were all led by scholars trained in the Mālikī *madh'hab*, the Sunni school of law that was prevalent in precolonial West and North Africa, and who were affiliated with the Qādiriyya *ṭarīqa*, which was the Sufi brotherhood predominant in eighteenth and nineteenth-century Muslim West Africa. Survivors of al-Dīn's failed revolution helped establish Fuuta Bundu in the Upper Senegal River valley under the leadership of the scholar Malik Sy (d. 1699). Qādiriyya scholars also led the jihads that led to Fuuta Jaalon, Fuuta Toro, the Sokoto Caliphate and the Caliphate of Hamdallāhi. Even though Taal was the leader of the Tijāniyya Sufi brotherhood in West Africa, he was also associated with the Sokoto jihad. Taal referred to the Sokoto scholars' writings in his own treatises, used their arguments to support his own actions and only left the Sokoto Caliphate to prepare for his own jihad in the western Sudan region after he failed to secure the leadership of the Sokoto Caliphate after the death of Muḥammad Bello in 1837.¹

There have been several explanations for the causes of the revolutions, including that they were a Fulbe ethnic movement, a rural uprising of pastoralists against urban farmers, or that they were religious movements. Since 1988, when Humphrey Fisher first introduced the argument, the dominant viewpoint has become that the jihads/revolutions were primarily anti-slavery movements.² This then, makes it especially ironic that no state established through these revolutions outlawed slavery, and that in some, including the Sokoto Caliphate and the Umarian States, slavery actually increased, as demand for slave-produced crops such as cotton, sorghum and indigo grew. These states were concerned with regulating enslavement, slavery and the trade of slaves according to their interpretations of the Mālikī school of law. They wanted to safeguard people they considered to be freeborn Muslims. They did not want to abolish slavery and the slave trade as a whole. In the states established by these revolutions, interpretation and application of Mālikī law provided the structure within which people were enslaved, how they lived and worked and how they were freed. This is exemplified by the Sokoto Caliphate and the Umarian States.

HOW PEOPLE WERE ENSLAVED

The vast majority of people enslaved in West Africa, both Muslim and non-Muslim, were enslaved through warfare, followed, in descending order, by raiding, banditry, kidnapping and judicial punishment. Kidnapping was illegal in all societies, although where there was legal enslavement and a legal slave trade there was space for illegal enslavement. Enslavement as punishment for a crime is illegal under all interpretations of Islamic law but formed part of the judicial code in some non-Muslim societies such as in precolonial Igbo society (contemporary southeast Nigeria). People were also born into slavery. In Muslim societies, a child's status was dependent on their father's. A child

born of a slave mother and a free father was free and had the social status of the father if the father recognized his paternity.

The revolutionary leaders of the jihads were interested in protecting from enslavement people who shared their interpretation and practice of Islam but viewed people who did not as non-Muslims who could possibly be legally enslaved. The Sokoto Caliphate undertook a number of measures to protect who they considered to be freeborn Muslims, many of which Taal and his successors later adopted. First, even though the leaders of the Sokoto jihad and early Caliphate, ‘Uthmān b. Fodiye, his brother ‘Abdullāhi b. Fodiye and ‘Uthmān’s son Muḥammad Bello, did not consider all Fulbe to be Muslim, they made it illegal to enslave any Fulbe in order to protect freeborn Muslim Fulbe. Second, in order to stop the export of illegally enslaved Muslims from the Sokoto Caliphate they instituted export checks of northbound caravans. Third, they made it illegal to sell slaves south towards the Atlantic slave trade, as one of the justifications for enslavement was to encourage the conversion of non-Muslims to Islam, which could not happen if people were sold outside of the *dār al-Islām*. Indeed, this was also the case for the jihad states closer to the coast such as Fuuta Jallon and Fuuta Toro which tried to limit as much as possible, but were unable to do so entirely, the sale of enslaved people into the transatlantic slave trade. Fourth, they supported the ransoming of captive freeborn Muslims before they were enslaved. The preferred remedy in accordance with local interpretation of Mālikī law was for a Muslim captor to freely release a captive they suspected might be a freeborn Muslim. However, the Sokoto government realized that captors would be more likely to release illegally held captives if they were financially compensated and therefore helped to arrange ransoms by providing negotiators and funds when needed.³

The revolutionaries’ definition of who was and who was not a Muslim and the political and economic structures of the jihad states, especially in Sokoto Caliphate and the Umarian States, affected who was enslaved and how they were enslaved. For seventeenth to nineteenth-century West African Muslims, the key factor in determining whether or not a free person taken captive was enslavable was their religious identity. As demonstrated by John Hunwick, Bruce Hall, and Timothy Cleaveland among others, Muslim West African jurists since the sixteenth century were in agreement that the only basis for enslavement was personal unbelief.⁴ However, who was considered a “proper Muslim” and therefore a “freeborn Muslim” in West Africa was dependent on time and place. Many of the revolutionary jihad leaders, including those of the Sokoto Caliphate and the Umarian States, based their definition of a freeborn Muslim on the definition of Muḥammad al-Maghīlī (d. 1504), the fifteenth-century Tlemscen (contemporary Algeria) scholar who is often credited with introducing the Mālikī school of law to Hausaland (contemporary northwest Nigeria) from where the Sokoto jihad would originate.⁵ Al-Maghīlī defined as non-Muslim those who denied the existence of God and the prophecy of the Prophet Muḥammad and those who behaved in ways that an “unbeliever” behaves, even though those behaviors, such as drinking alcohol, on their own,

are not acts of unbelief.⁶ Following this definition, ‘Uthmān b. Fodiye, the intellectual leader of the Sokoto jihad, divided people into three categories. The first group consisted of people who followed “pure” Islamic law. The second category included individuals who followed a mixture of orthodox Islamic practices and *bori* practices, the polytheistic religious practices that pre-existed Islam in the region, while the third group consisted of people who had never accepted the “truth” of Islam. ‘Uthmān considered it fully permissible to enslave members of the last two groups, along with their children, and to confiscate their property.⁷ Moreover, the leaders of the Sokoto jihad also held the view that the prevalence of syncretic religious practices within a community, which they deemed deviant forms of Islam, made the community as a whole non-Muslim. For example, they used the concepts of *takfīr* (declaring a self-professed Muslim an infidel) and *taqlīd* (the emulation of the ideal Muslim leader) to justify attacking the self-identified Muslim state of Bornu, to the east of the Sokoto Caliphate, and enslaving people taken captive during the warfare.⁸ Similarly to ‘Uthmān, Taal also divided non-Muslims into three groups—“infidels” by origin such as Christians; “apostatized” Muslims and people who “pretended” to be Muslim but whose actions are those of an “infidel.”⁹ In his dispute with Aḥmadu b. Aḥmadu, the Caliph of Hamdallāhi, in the lead-up to his invasion of the Caliphate of Hamdallāhi, Taal also adopted Sokoto’s strategy of declaring the leader of a state who considered himself to be Muslim as non-Muslim to justify the declaration of war against that state and the enslavement of people taken captive in the fighting.¹⁰

Who and how people were enslaved was also very much affected by the political and economic structure of the state. Both the Sokoto Caliphate and the Umarian States faced an internal rebellion by people who they did not consider to be Muslims and both were constantly expanding their borders. This warfare led to captives being taken which both states viewed as enslavable according to their interpretation of Mālikī law. Both states were also economically dependent on captive-taking and access to slave labor, especially for plantation agriculture.

Once established, the Sokoto Caliphate functioned more as confederation than a federation. It had a central government at Sokoto but was divided into 33 emirates, which were themselves divided into numerous smaller administrative units. Unity of the Caliphate was dependent on the diplomatic skills of the Sarkin Muslimi at Sokoto and the prestige of the founders. Emirs were initially chosen from among the surviving jihadists who conquered a particular region such as Kano or Bauchi. Later emirs were chosen according to the rules of succession of the individual emirates. To maintain a unified state, the government at Sokoto had to continually balance their interests and the Caliphate as a whole with the interests of the individual emirs and emirates.

Similar to the Sokoto Caliphate, Umarian rule also faced challenges to its governance and unity. Unlike ‘Uthmān who grew up and lived his adult life in Gobir, the Hausa state from which he launched his jihad in 1804, Taal was not from the region which he eventually conquered. He grew up in Fuuta Toro

and spent a significant portion of his adult life in the Middle East and the Sokoto Caliphate prior to establishing his community at Dinguiraye on the Tinkisso river, on the border with Fuuta Jalon, on land he had leased from the King of Tambo, which became his base for launching his jihad. Moreover, the army that he led that conquered Segou, Kaarta, and the Caliphate of Hamdallāhi was mainly recruited from Fuuta Toro and Fuuta Jalon. The Umarians conquered Kaarta in 1855, and Segou and most of Hamdallāhi in 1862. The state that was established by Taal was faced with both constant resistance from the people it conquered, especially from the Bambara, Maraka and Masinanke, divisions within the ruling elite, and later conflict with Samori Turé, another expansionist leader, and the French as they moved into the interior from the coast. Taal was killed in an attack by revolting Masinanke in 1864 and his empire was effectively divided into five polities governed by four of his sons and a nephew.¹¹ These polities operated at various times as independent states, fighting off attempts at unification, attacks and conquest by Samori in the 1880s until finally they were all conquered by the French by 1893.

Both the Sokoto Caliphate and the Umarian States were dependent on booty, including captives to be sold as slaves, taken in wars and raids, to maintain key social, political and economic relationships. Booty, including captives, was the main payment for soldiers. Indeed, often, civilian captives, particularly women and children, were the most valuable booty soldiers could collect from a conquered village or town.¹² For the Umarians booty collection was also important in terms of maintaining the unity of the army. The Umarian armies were composed of several different groups. At the top of the army hierarchy were the elite cavalry troops who were mostly of Fuutanke origin from Fuuta Toro and Fuuta Jalon. Below them were local Fulbe and “new Muslims” who had converted to Islam prior to the beginning of the jihad. Below them were the *sofa*, local polytheists, whose leaders were allied to Taal and his successors. The division of booty reflected status and ethnic differences. For example, in the Bambara regions, the Umarians used a hybrid of Mālikī and Bambara law for the division of booty. In accordance with Mālikī law, the Fuutanke soldiers kept four-fifths of the booty they captured and turned over one-fifth to the state whereas in alignment with Segou Bambara law, the Umarian State claimed half of the booty captured by the *sofa*. “New Muslims,” to the chagrin of their military and government superiors, often did not turn in any of the booty that they captured.¹³

Booty was also an important source of government income. According to Mālikī law, booty was one of the seven legitimate sources of income for the public treasury along with the fifth, the land tax, the poll tax, the tithe, inheritance and property with a missing or no owner.¹⁴ In *Usulul-adlilwullatil umuri wa ahlil-fadli*, a treatise on the principles of justice, ‘Uthmān justified the taking of booty, including captives, in warfare and raids by stating that proper uses of the government’s and imam’s share of the booty included defense spending, the payment of government employee salaries, the welfare of the poor and needy, the building of mosques, and the freeing (ransoming)

of prisoners of war.¹⁵ Further demonstrating the importance of booty for the Sokoto Caliphate, Moses Ochonu argues that Caliphate expansion south of the Benue during the reign of Bello was not motivated by ideology and territorial gain but by soldiers' desire for booty, captives and tribute.¹⁶ Even in the 1890s, as indicated by a letter from the Emir of Katsina to the Sarkin Muslimi in Sokoto, booty collection, including captives, remained an important part of Sokoto military expeditions throughout the nineteenth century.¹⁷ Enslavement of captives came to form the base of many political and economic relationships within the Sokoto Caliphate and the Umarian States especially with the growth of plantation agriculture.

WORK OF ENSLAVED PEOPLE

As in other regions of West Africa, enslaved people in the precolonial revolutionary jihad states labored at various professions, although the majority of enslaved people worked in agriculture. Moreover, similar to other regions in West Africa, women made up the majority of the enslaved population. This is because in West Africa, most agricultural tasks were gendered female and women were valued primarily for their productive capabilities and to a lesser extent their reproductive capabilities. This is reflected in slave prices. Eunuchs were the most expensive slaves since many boys did not survive the operation, followed in descending order by young women, older women, children and adult men. The work performed by an individual slave was dependent on gender, on the region where the person lived, the amount of time the owner had owned the person, whether the enslaved individual was a first-generation slave or was either born into the community or bought at an early age, and on the occupation and wealth of the owner. Enslaved people worked as farmers, soldiers, porters, miners, domestic servants, traders, cattle-raisers and concubines. Slaves within the warrior/aristocratic sector tended to be employed as soldiers and farmers while within the merchant sector, enslaved people performed tasks in support of their owner's trading activities such as producing food and trade goods. For example, urban Songhay in Djenne in contemporary Mali, which was conquered by Taal in 1862, employed their slaves in a diverse number of professions such as blacksmiths, weavers, cobblers and traders.¹⁸ Both the warrior/aristocratic and merchant sectors also used their slaves as concubines and as servants. An important use of male slaves was as royal slaves working in government.¹⁹

For both Muslim and non-Muslim communities of the western and central Sudan region, slaves who were born into the community or were purchased at a young age, and who therefore shared cultural values with their owners, were less likely to be sold, were given more desirable tasks and generally had more freedom of movement than first-generation slaves who were more closely watched, performed harder and less desirable work, and were the first to be sold. This remained true with the establishment of the revolutionary jihad states. For example, in late nineteenth-century Sokoto, which had been

conquered by the Umarians, first-generation slaves worked for their owners until four in the afternoon for six days a week while slaves born into the community worked until two in the afternoon for five days a week.²⁰ The work regimen provided this second group a better chance than first-generation slaves to rest, to look after their own needs and to gather assets that could be used to make their lives more comfortable or to buy themselves out of slavery. This distinction between first-generation slaves and people born into slavery in the community can also be seen in the terms used to categorize people. For example, *komo* (Soninke) *maccube* (Fulbe) and *banniya* (Songhay) all refer to enslaved people who were enslaved in their own lifetime while *woloso* (Bambara) *woroso* (Soninke), *rimaibe* (Fulbe) and *horso* (Songhay) refer to enslaved individuals who were either born in the community or came into it at a young age.²¹

An individual slave's experience with slavery was also dependent on whether they were enslaved within a high-density or a low-density slave system. High and low-density systems differed in terms of where slaves and owners lived in relation to each other, in demographic structure, in the degree of economic rationality and most importantly in the number of slaves. There was a much closer relationship between owner and slave in low-density systems than in high-density systems. In a low-density system, enslaved individuals formed the minority of the population, and owner and slave often lived in the same household, worked together, ate the same food and participated in the same culture. In contrast, in high-density systems, enslaved people formed the majority of the population, lived apart from their owners often in separate villages, had very little contact with their owner, and worked while their owner or overseer supervised. Furthermore, in low-density systems, slaves often assimilated within three generations while in high-density systems a child usually had the exact same status as their slave parents. High-density and low-density systems could co-exist within the same region differing on the needs of the owners. For example, in Umarian Segou, there was a political/military structure that utilized slaves as soldiers; a merchant town structure where enslaved individuals were used in production and trade; fishing villages and farming communities where slaves were engaged in the subsistence requirements of their owners; and the more higher-density plantation agriculture system where slaves lived in separate villages from their owner and labored as agricultural workers.²² It is in these high-density agricultural slave systems where most enslaved people in the Sokoto Caliphate and the Umarian States labored.

The economy of both the Sokoto Caliphate and the Umarian States was based on plantation agriculture and the majority of enslaved people worked in this sector. In the eighteenth century, Hausaland's agricultural sector had suffered because of intra-Hausa warfare and periodic draught. The founding of the Sokoto Caliphate unified Hausaland for the first time which led to the integration of a regional economy that was based on slave-produced plantation agriculture. Plantation-produced agricultural products included cotton, millet, sorghum, rice, tobacco, locust beans, cowpeas, groundnuts, sugar

cane, kola nuts and shea nuts. Most of these products were prepared for the domestic market but indigo, tobacco, dried onion leaves and finished goods such as cotton textiles were produced for the export market.²³ Enslaved people in the Sokoto Caliphate constituted between 20 and 45 percent of the total population and varied in concentrations across the emirates with the more plantation-focused emirates, such as Kano, having the higher slave populations.²⁴

On Sokoto plantations, except for the most physically demanding jobs and many of the skilled work which was reserved for men, both men and women slaves performed the same agricultural tasks and worked the same hours. On most Sokoto plantations, enslaved people were organized into highly regimented work gangs. On some plantations, however, such as in Bida Emirate, enslaved people had more control of their work lives, lived in slave villages located on their plantation, were overseen by a village head, and owed their owners a set amount of produce or money, known as the *murgu* system. On plantations where slave labor was organized into work gangs each gang, headed by an overseer, was usually tasked with a specific duty such as cultivating particular fields. Enslaved individuals usually worked from sunrise to afternoon prayers at 2 p.m., every day except for Fridays, Sundays and public holidays with a period of rest around noon for lunch and other rest periods as the overseer saw fit. The overseer was usually an older trusted enslaved man. Enslaved children too young to work were usually cared for by an older enslaved woman, sometimes mothers carried their infants with them, and nursing mothers were usually given permission by the overseer to stop work and nurse their babies as needed. After the official work day ended, enslaved people could use the remaining hours of the day for rest, leisure, their own domestic tasks and for working their own plots for supplemental food and income.²⁵

Similar to the Sokoto Caliphate, the Umarian economy was also based on plantation agriculture with a constant demand for enslaved labor. The region produced cotton for the local textile industry and grain such as sorghum for the export market. Sinsani had been the most important agricultural city of the western Sudan region prior to the Umarian conquest. After the Umarian conquest, agricultural and commercial hegemony shifted to Banamba. By the 1890s, agricultural plantations encircled the city for 25–50 kilometers with an estimated slave population of 30,000–35,000, where the enslaved population outnumbered the free population on a ratio of 2:1.²⁶ In Banamba, like in most Maraka towns, most enslaved people lived and worked in slave villages of between 50 and 500 people where most people could build a family life.²⁷ Like in the Sokoto Caliphate, in the Umarian States in general, enslaved people worked for their owners five days a week from sunrise to afternoon prayer time although many newly acquired slaves worked for two hours longer and for an extra day. Unlike in the Sokoto Caliphate, it appears that there was a more gendered division of agricultural labor in the Umarian States. Most work gangs were single-gendered. Men did the physically difficult work such as

clearing land, but some crops such as indigo, which was important for dyeing cotton cloth, were viewed as strictly women's crops whereas planting cotton was gendered male and harvesting cotton was gendered female. Both men and women also participated in making cotton cloth. Spinning, the more time-consuming task, was viewed as women's work while weaving was viewed as men's work.²⁸

PATHWAYS TO FREEDOM

In accordance with the Mālikī school of law enforced in the jihad states, there were several avenues through which an enslaved person could gain their freedom. Owners could manumit their slaves. Manumission was viewed as an act of benevolence and many pious owners manumitted slaves for that reason. Manumitting slaves was viewed as a way to make amends for committed sins. Owners could also permit slaves to buy their freedom, redemption, or pledge to free the slave at a later date or after the owner's death. The Qu'ran recommends that owners permit their slaves to purchase themselves or permit a third party to purchase their freedom. A judge could also order an owner to free a slave on account of mistreatment. A concubine who gives birth to her owner's child who recognizes his paternity gains the title of *umm al-walad* and certain legal rights that eventually lead to her freedom. A slave owned by a non-Muslim who converts to Islam must be freed or sold by their owner, since a non-Muslim is forbidden to own a Muslim, although a Muslim is permitted to continue to own an enslaved individual who converts to Islam.²⁹ The vast majority of enslaved individuals could only legally gain freedom with the cooperation of their owners.

The most common way for an enslaved person to gain their freedom in the Sokoto Caliphate and the Umariyan States was through redemption where either the enslaved individual themselves or another person purchased their freedom. People who were redeemed by others were usually redeemed by family or friends. Often, one person will pay for their own redemption and once free start saving to redeem their still enslaved family members. In general, since women were often more burdened by non-paying domestic tasks, it was easier for enslaved men to raise self-redemption fees than enslaved women.³⁰

Theoretically, slaves could not own property and everything they earned belonged to their owners. However, owners could grant their slaves certain privileges of ownership. In practice, this could give enslaved people access to the resources with which to earn enough money to pay their redemption fee such as assess to a plot of land. In Mālikī law, and Muslim law in general, there are three ways for slaves to redeem themselves. First, enslaved individuals could buy themselves. In this case the person must pay their owner the full demanded purchase price at the time of sale and is freed immediately. Second, an enslaved person could gain self-redemption by entering into a *mukātaba* or a *fansar kai* contract with their owner by which they bought their freedom through instalments. During this process, until the person has paid his or her

full purchase price, while they are not free, there are limits placed on the control of the owner. For example, the owner would not be able to sell the slave or force them into a marriage. The third form of self-redemption is when there is an “imperfect expectancy of manumission.” In this case, the enslaved person is given the option of gaining their freedom through work. An example of an “imperfect expectancy of manumission” is when two owners jointly own a slave and one owner manumits their share.³¹ The owner controls the first two means of self-redemption. An enslaved person could only redeem themselves with the cooperation of the owner and at the price set by the owner. With a mukātaba contract, the owner is in complete control in deciding the purchase price, the method of payment and any attached conditions. While a slave may have the right to ask for a mukātaba contract, the owner has the option of putting the purchase price or conditions so high that the enslaved person could never gain their freedom in that manner.³² Furthermore, if an enslaved individual missed an agreed-upon payment under the mukātaba contract, they forfeited the payments already made and were returned to their previous status.³³ With the third option, however, the right to redemption rested fully with the slave. In Muslim West Africa the third option was either uncommon or not practised. Most enslaved people redeemed themselves by either purchasing themselves outright or through a mukātaba or a fansar kai contract.

In the Sokoto Caliphate, the *murgu* and *wuri* systems allowed for the possibility for enslaved individuals to save for self-redemption or fansar kai. *Murgu* and *wuri* were similar in that they both permitted slaves to work on their own in return for payment to their owners but differed in that *murgu* was a fixed payment, usually in cash but sometimes in kind, whereas *wuri* was a proportional payment usually one-tenth of a day’s earnings. *Murgu* was much more common than *wuri*. It was the owner’s decision whether or not to permit slaves to work under the *murgu* system. Usually, *murgu* payments were fixed and they were required to be paid regularly on a daily, weekly, monthly or annual basis. For example, according to Muḥammadu Rabi’u, an informant to the 1970s oral interview Economic History Project, an owner could demand that each Friday his male slave give him seven hundred or eight hundred cowries as his *murgu* payment.³⁴ Owners benefited from the *murgu* system. They were not taxed on *murgu* payments nor were responsible for the upkeep of slaves on the *murgu* system. It was pure profit for them. While *murgu* costs varied, it was usually more than the cost of subsistence. Therefore, in order to maintain themselves, slaves on the *murgu* system had to earn twice what they needed to survive before they could consider saving for self-redemption. Only slaves who were skilled craftsmen or who were very good traders, the individuals who would also probably be making higher *murgu* payments and whose redemption price would have also been set high, could have afforded to redeem themselves. Even then it usually took them between five and seventeen years.³⁵

In Muslim West Africa during the jihad period, redeemed slaves, although free, held a low social status in their former owner's society. Claude Meillassoux makes an important distinction between manumission and enfranchisement. According to Meillassoux "enfranchisement" meant that a freed slave would acquire all the prerogatives of the freeborn, including honors, and the stigma of slave birth or capture would be removed. For him, enfranchised slaves, usually families, had the right to leave their former owners, settle on new land and enjoy all of the privileges of the freeborn. In contrast, a "manumitted" slave, according to Meillassoux, who gained their freedom either by redemption or by other legal means, was considered free but was usually viewed as a junior member of their former owner's family, was under their former owner's control and was expected to perform certain duties towards their former owner and give them gifts on certain occasions.³⁶ Using Meillassoux' terminology most slaves who were freed according to Mālikī law in the Sokoto Caliphate and the Umariān States were manumitted slaves. Indeed, social inequality between people of slave and free descent and contestations over rights and identity continues to the present as shown by recent research, especially by Mirjam de Bruijn and Lotte Pelckmans, Benedetta Rossi and Marie Rodet.³⁷

Colonial conquest of the Sokoto Caliphate and the Umariān States altered how enslaved people could gain their freedom. The Sokoto Caliphate was conquered by British, French and German forces with the 1903 conquest of Kano, the economic center of the Caliphate, by the British marking the official end of Sokoto independence. Most of the Sokoto Caliphate was conquered by the British and became the Protectorate of Northern Nigeria. The French reached Bamako in 1883, conquered Segu in 1890 and Māsina in 1893 effectively ending Umariān independence and enfolding it into the French Soudan. While there were important differences between British and French policies towards the slave trade, slavery and emancipation, in general, colonial officials did not want to disrupt the economies and social orders of the societies they had conquered. They favored a gradual end to slavery with redemption as the preferred means through which enslaved people gained their freedom. Yet, British and French officials did alter the practice of redemption in significant ways. First, slaves no longer needed the permission of their owner to self-redeem or to be redeemed by a third party. If they could raise the redemption fee, still a difficult task, owners had to accept it. Second, owners were no longer in control of setting the redemption price.³⁸ Colonial policies, however, affected enslaved men and women differently. For example, in the British occupied Sokoto Caliphate as demonstrated by the 1905–1906 Zaria redemption records more men either self-redeemed or were redeemed by a third party than women even though women made up the majority of the enslaved population.³⁹ This was due to two reasons. First, it was more difficult for women to raise their redemption fees due to the gendered nature of domestic work. Second, it was British colonial policy to regard women slaves as wives instead of as slaves and to treat enslaved women who wanted to leave their owners

as divorce cases. This made it much more difficult for enslaved women to be redeemed if their owners objected than it was for enslaved men. It was not until 1936 that slavery was abolished in the British Protectorate of Northern Nigeria which encompassed most of what had been the Sokoto Caliphate.⁴⁰ Starting in 1905 in the French Soudan, which included the Umarian States, enslaved people, both men and women, took their freedom into their own hands by leaving their owners and either returning home or establishing new communities.⁴¹

CONCLUSION

All of the West African jihads from al-Dīn's to Taal's were led by men dedicated to reforming society and implementing their interpretation of the Mālikī madh'hab. The establishment of the two largest states through revolutionary jihad, the Sokoto Caliphate and the Umarian States, coincided with the nineteenth century's increased demand for plantation-produced agricultural products for both local consumption and for export. The establishment of these two states corresponds with the period which Paul Lovejoy terms the "transformation of slavery" in the region from where slaves were present in society but where the economy was based on free labor to where the economy was based on enslaved labor.⁴² Yet, even so, in these states founded through revolutionary jihad, enslavement, the slave trade, slavery and pathways to freedom were regulated according to the revolutionaries' interpretations of Mālikī law. The leaders of these states wanted to protect people who they considered to be freeborn Muslims from enslavement while regulating the enslavement and trade of people they considered to be non-Muslims. They were only considered as Muslim people who followed their interpretation of Islam. According to their interpretations of Mālikī law, only people they considered non-Muslims who were taken captive during a war could be legally enslaved.

Local interpretations of Mālikī law also regulated pathways to freedom. Enslaved people could legally gain their freedom if a judge freed an enslaved person due to gross maltreatment. A concubine whose owner recognized his paternity of her child gained certain rights which would eventually lead to her freedom. Owners also manumitted slaves as an act of benevolence, as a way to make amends for committed sins, or as a generous act upon their deaths. However, the way that most enslaved people legally gained their freedom, with the permission of their owner, was through either self or third-party redemption where the enslaved person purchased their freedom, or had their freedom purchased for them. Depending on the type of work an enslaved individual performed, the type of system in which they lived and labored and on their owner, enslaved people sometimes had access to land and the time with which to use their labor and skills to earn the money they needed to purchase their freedom. Due to the gendered division of work, it was more difficult for women to raise their self-redemption fees than for men. The vast majority of

slaves worked in agriculture and most slaves were women who were valued for both their productive and reproductive abilities. However, enslaved people worked in all professions and in all segments of the economy including as soldiers, porters, miners, domestic servants, traders, cattle-raisers, concubines and royal officials. Whether an enslaved person gained their freedom through the legal pathways provided by the Sokoto Caliphate and the Umarian States or through those provided by the French and British colonial states after the conquest, freed slaves remained in a subservient social position compared to their former owners, and people of slave descent continue to face social barriers that people of free descent do not.

NOTES

1. For recent overviews of the West African Jihads see Rudolph Ware III, *The Walking Qur'an: Islamic Education, Embodied Knowledge, and History in West Africa* (Raleigh: The University of North Carolina Press, 2014); Mauro Nobili, *Sultan, Caliph and the Renewer of the Faith: Ahmad Lobbo, the Tarikh al-Fattash and the Making of an Islamic State in West Africa* (Cambridge: Cambridge University Press, 2020); Paul E Lovejoy, *Jihād in West Africa during the Age of Revolutions* (Athens, OH: Ohio University Press, 2016). For 'Umar Taal's use of Sokoto arguments especially those of the Fodiye see 'Umar Taal, *Bayān mā waqa 'a*, ed. and trans. Sidi Mohamed Mahibou and Jean-Louis Triaud (Paris: Editions du Centre National de la Recherche Scientifique, 1983), 107–38. See also the correspondence between Taal and Ahmadu b. Ahmadu in Muhammad al-Hafiz al-Tidjānī, *Al Hadj Omar Tall (1794–1864) Sultan de l'état Tidjanite de l'Afrique Occidentale*, trans. Fernand Dumont (Abidjan, Côte d'Ivoire: Les Nouvelles Editions Africaines, 1983).
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3. Jennifer Lofkrantz, "Protecting Freeborn Muslims: The Sokoto Caliphate's Attempts to Prevent Illegal Enslavement and its Acceptance of the Strategy of Ransoming," *Slavery & Abolition* 32, no. 1 (2011): 109–27; Jennifer Lofkrantz and Paul Lovejoy, "Maintaining Network Boundaries: Islamic Law and Commerce from Sahara to Guinea Shores," *Slavery & Abolition* 36, no. 2 (2015): 221–32.
4. See John Hunwick, *Sharī'a in Songhay: The Replies of al-Maghīlī to the Questions of Askīya Al-hājj Muhammad*, (Oxford: Oxford University Press, 1985); Bruce S. Hall, *A History of Race in Muslim West Africa 1600–1960* (Cambridge: Cambridge University Press, 2011); Timothy Cleaveland, "Ahmad Baba al-Tinbukti and his Islamic Critique of Racial Slavery in the Maghrib," *The Journal of North African Studies* 20, no. 1 (2015): 42–64.
5. For al-Maghīlī's definition of who is and who is not a Muslim see Hunwick, *Sharī'a in Songhay*. For 'Uthmān b. Fodiye see Uthmān b. Fodiye, *Nūr-al-albāb*, trans. Ismail Hamet, *Revue Africaine* XLI (1897): 300–03. For a

- discussion on the influence of al-Maghīlī on ‘Uthmān b. Fodiye’s intellectual thought see Jennifer Lofkrantz, “Intellectual Discourse in the Sokoto Caliphate: The Triumvirate’s Opinions on the Issue of Ransoming ca 1810,” *The International Journal of African Historical Studies* 45, no. 3 (2012): 393–95.
6. Hunwick, *Shari’a in Songhay*.
 7. ‘Uthmān b. Fodiye, *Nūr-al-albāb*, 300–03.
 8. For a detailed discussion of the debate between the leaders of the Sokoto Caliphate and the Bornu Empire on whether or not it was legal for Sokoto to invade Bornu see Murray Last and M.A. Al-Hajj, “Attempts at Defining a Muslim in 19th Century Hausaland and Bornu,” *Journal of the Historical Society of Nigeria* 3, no. 2 (1965): 231–9; Louis Brenner, “The Jihad Debate between Sokoto and Borno: A Historical Analysis of Islamic Political Discourse in Nigeria,” in *People and Empires in African History: Essays in Memory of Michael Crowder*, ed. J.F. Ade Ajayi and J.D.Y. Peel (London: Longman, 1992), 21–45.
 9. Taal, *Bayān mā waqa ‘a*, 98.
 10. *Ibid.*, 107–38.
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 12. Murray Last, “Slavery or Death in Sokoto and Borno: Tactics, Legalities and Sources,” in *Landscapes, Sources and Intellectual Projects of the West African Past*, ed. Toby Green and Benedetta Rossi (Leiden: Brill, 2018), 438.
 13. Richard Roberts, *Warriors, Merchants and Slaves: The State and the Economy in the Middle Niger Valley, 1700–1914* (Stanford: Stanford University Press, 1987), 92–94; Robinson, *The Holy War of Umar Tal*, 185–86.
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 15. ‘Uthmān b. Fodiye, *Usulul-Adlilwullatil Umuri wa ahli-l-fadli*, trans. Mohammad Isa Talata Mafara (Sokoto: 1992), 15.
 16. Moses Ochonu, “Caliphate Expansion and Sociopolitical Change in Nineteenth-Century Lower Benue Hinterlands,” *Journal of West African History* 1, no. 1 (2015): 133–76.
 17. Abubakar, 7th Emir of Katsina to the Sultan of Sokoto, the Sarkin Musulmi Abderrahman, undated, *The Occupation of Hausaland 1900–1904*, ed. H.F. Backwell (London: Frank Cass & Co Ltd, 1969), 34.
 18. Archives Nationales du Sénégal (ANS) K14 Captivité au Soudan 1894. Cercle de Djenné Rapport sur la captivité.
 19. For a detailed discussion on royal slaves in the Sokoto Caliphate see Sean Stilwell, *Paradoxes of Power: The Kano “Mamluks” and Male Royal Slavery in the Sokoto Caliphate 1804–1903* (Portsmouth, NH: Heinemann, 2004).
 20. ANS K14 Captivité au Soudan 1894. Cercle de Sokolo, Etude sur la captivité.
 21. For African terms see Martin Klein, *Slavery and Colonial Rule in French West Africa* (Cambridge: Cambridge University Press, 1998), 5.
 22. Klein, *Slavery and Colonial Rule in French West Africa*, 3–5.
 23. Paul Lovejoy, “The Characteristics of Plantations in Nineteenth-Century Sokoto Caliphate,” *American Historical Review* 84 (1979): 1282–83.

24. Paul Lovejoy, *Slavery Commerce and Production in West Africa* (Princeton, NJ: Africa World Press, 2005), 9.
25. Mohammed Bashir Salau, *Plantation Slavery in the Sokoto Caliphate: A Historical and Comparative Study* (Rochester: University of Rochester Press, 2018), 82–84.
26. Paul E Lovejoy, *Transformations in Slavery*, 3rd ed. (Cambridge: Cambridge University Press, 2012), 191–92.
27. Richard Roberts, “Slavery, the End of Slavery, and the Intensification of Work in the French Soudan, 1883–1912,” *African Economic History* 49, no. 1 (2021): 54.
28. Martin Klein, “Women in Slavery in the Western Sudan,” in *Women and Slavery in Africa*, ed. Claire C Robertson and Martin Klein (Portsmouth, NH: Heinemann, 1997), 84–85.
29. Lofkrantz, “Protecting Freeborn Muslims,” 118–19. On the treatment of slaves and the avenues of manumission advocated in the Qu’ran see, for example, passages 4: 92, 5: 89, 16: 71, 24: 32, 24: 33, and 90: 13. For Malik b. Anas’ opinion, the founder of the Mālikī school of law which was the school of law followed in Islamic West Africa, see Aisha Abdurrahman Bewley *Al-Muwatta by Imam Malik ibn Anas* (London: Kegan Paul International Limited), 320–26.
30. Klein, “Women in Slavery in the Western Sudan,” 85.
31. Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Clarendon Press, 1982), 129.
32. L.O. Sanneh, “Slavery, Islam and the Jakhanke People of West Africa,” *Africa: Journal of the International African Institute* 46, no. 1 (1976): 91.
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35. Paul E. Lovejoy, “Murgu: The wages of Slavery in the Sokoto Caliphate,” *Slavery & Abolition* 14, no. 1 (1993): 168–85.
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37. See for example, Mirjam de Bruijns and Lotte Pelckmans, “Facing Dilemmas: Former Fulbe Slaves in Modern Mali,” *Canadian Journal of African Studies* 39, no. 1 (2005): 69–95; Benedetta Rossi, *From Slavery to Aid: Politics, Labor and Ecology in the Nigerien Sabel 1800–2000* (Cambridge: Cambridge University Press, 2015); Marie Rodet, “Escaping Slavery and Building Diasporic Communities in French Soudan and Senegal, ca 1880–1940,” *The International Journal of African Historical Studies* 48, no. 2 (2015): 363–86.
38. Jennifer Lofkrantz, “Ransoming Policies and Practices in the Western and Central Bilād al-Sūdān c1800-1910” (PhD diss., York University, 2008), 178–86.
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42. Lovejoy, *Transformations in Slavery*, 9–11.

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