

[Communicated to the Council
the Members of the League
and the Delegate at the As-
sembly.]

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LEAGUE OF NATIONS

Geneva, August 10th, 1923.

THE QUESTION OF SLAVERY

The Council having, at its Meeting on July 5th, 1923, had under consideration the results of the enquiry into the question of Slavery—undertaken at the request of the Third Assembly—adopted the following resolutions :

“The Council of the League of Nations :

“Having regard to the recommendation which was adopted by the Third Assembly, and with which it concurred, that a report on the question of slavery should be presented to the Fourth Assembly;

“And having regard, on the other hand, to the fact that the information which has been collected so far from the States Members of the League is not adequate to provide the basis of a sufficiently complete report;

“Decides :

“(1) To communicate to the Fourth Assembly the reports which have so far been received by the Secretariat and also any which may subsequently be received;

“(2) And to request the Secretariat to continue its efforts to secure information on the subject and authorise it to extend its enquiries to governments of countries not Members of the League.”

The Secretary-General has the honour, in accordance with the first of these Resolutions, to communicate herewith to the Members of the League the text of the reports which have so far been received by the Secretariat.

NOTE COMMUNICATED BY THE FRENCH GOVERNMENT

In pursuance of the decision of the Third Assembly to insert the question of slavery on the agenda of the Fourth Assembly, the Council instructed the Secretary-General, on September 26th, 1922, "to request the Governments of the Members of the League to supply the Council with any information on the existing situation which they may possess and which they may see fit to communicate to it".

The French Government accordingly proceeded to carry out a general enquiry in its Colonies, with the results which are given below.

INTRODUCTION

France has always endeavoured, when taking over fresh colonial territory, to abolish the sale of and traffic in slaves by enforcing the severest penalties. As early as 1831, after the occupation of Algiers, the French Government published a law prohibiting the carrying on of this trade by sea. In proportion as French colonial rule became more firmly established in Africa, a wider extension was given to the measures for combating the traffic. A Decree of December, 1848, abolished slavery as a general practice. Administrative measures were immediately taken in each colony to stamp out this barbarous custom. These regulations were partially codified in a Decree, dated December 12th, 1905 (See Annex I) (1), which armed magistrates with very effective legal powers for the suppression of the traffic in human beings. According to the terms of this Decree, any agreement, concluded for the purpose of depriving with or without compensation a third party of his liberty, is prohibited, and renders the offender liable to severe penalties (two to five years imprisonment, fines and confiscations). These penalties were still further increased by a Decree dated August 8th, 1920 (See Annex II).

It was not, necessary however, to apply these measures to the whole area of the French Colonial Empire. For many years past slavery has been confined to the African continent. It has never existed in the French possessions in India, Indo-China, St. Pierre, Miquelon and Tahiti. In the French Antilles, Guiana, Réunion and New Caledonia it has ceased to exist for upwards of half a century.

The information recently collected by the French Government refers therefore exclusively to the French possessions in Africa and to African territories placed under French mandate.

I. — *French West Africa.*

The Decree of December, 1905, enabled the French authorities to wage the campaign against slavery in the widest and most effective manner throughout all the territories of French West Africa.

Up to that date, thanks to administrative measures and to negotiations with the various tribes, and also owing to the vigilance of the Courts, slavery had been repressed with severity, though in quite an empirical manner. On December 12th, 1892, the Governor-General had got into touch with the native chiefs, and had made them sign an engagement to cease tolerating the slave trade within their territories, and to institute a system of payments by instalments (*constitution de pécule*) for the ransoming of captives. Villages of refuge had been established, at the cost of and under the supervision of the French administrative authorities, as sanctuaries for slaves escaping from Mauretania, Senegambia and the Niger region, Decrees were published by the Governors-General providing for children, who were minors, to be handed over after release from captivity to institutions where they could either be supported or apprenticed to trades, according to their ages.

The Decree of 1905 for the compulsory emancipation of slaves resulted in a general exodus of captives, who quitted their masters in large numbers and made their way back to their native districts, or else sought safety in villages of refuge. It was a very critical period, and the French authorities had to exercise great vigilance to protect this migration and to prevent conflicts from arising.

Meanwhile, the Courts dealt rigorously with any cases of traffic in slaves which came to their notice. This severity was still further increased by a Decree of August 8th, 1920, which raised the scale of fines for these offences from 1,000 to 5,000 francs. These measures proved effective, and for many years past the only offences of this kind which have come before the Courts have been committed in frontier districts by subjects of other nationalities. The curve of judicial statistics is very significant evidence of the progress which has been achieved. In 1906, the Courts convicted 147 persons, in 1920, there were only 16 prosecutions, and in 1921 only 4. It therefore appears that slavery has been finally stamped out in French West Africa.

II. — *French Equatorial Africa.*

In the course of his explorations in the Congo Basin, Savorgnan de Brazza observed the remarkable development which the slave trade had attained in that region. The continual wars in which the Central African tribes engaged provided favourable conditions for the extension of this traffic; for the native chiefs it was a profitable trade and, indeed, their chief source of revenue!

(1) Note by the Secretariat :
Copies of the decrees mentioned as annexes are kept in the Secretariat at the disposal of the Council.

The French colonial authorities were thus confronted with customs which had become deeply rooted among the tribes under their administration. They found no difficulty in suppressing the public forms of slave trade or the traffic in human merchandise by the chief slave dealers established in that region. The severity with which their laws were enforced made clandestine trade very dangerous, and convictions for offences of this kind are at present extremely rare in our equatorial colony.

Nevertheless, the primitive social conditions in which the natives lived in this region tended to preserve ancestral customs of semi-servitude. It would have been impossible for France, in her task as a colonising Power, to make a violent onslaught on such customs at the very outset of her rule, and their abolition could therefore only be achieved progressively. There exists among the Congo tribes a class of persons, the sons of former slaves, who continue to live under the guardianship of the families of their former masters. They own their own huts, and though they receive no pay for their work, their needs are supplied by their masters. Any attempt to liberate them, by some sweeping reform, against their own wishes would have produced a social upheaval and would have resulted in abandoning to an uncertain fate these serfs who had been accustomed all their lives to be looked after and supported, while, at the same time, it would have deprived their masters of the labour which they had become accustomed to expect.

As it was impossible to alter such a situation at once, the French administrative authorities have simply not recognised it. They allow captives to act as village chiefs; they encourage them to assert their liberty by showing that they are willing to protect them if they acquire the status of freemen; they work to spread civilisation among these negro tribes, and thus gradually to transform, without undue disturbance, a primitive social institution which is only provisionally tolerated.

III. — *Togo and the Cameroons.*

In the portions of the two German colonies which have been placed under French mandate, the French Government was confronted with the existence of a social organisation of slavery which was not unfavourable to the former slave owners, and which was more tolerant and less restrictive of this practice than the French legislation.

It is true that a decree of the Imperial Commissioner, dated July 28th, 1895, prohibited the traffic in and carrying off of slaves; but instead of abolishing an institution which was already established, it regulated it; under this decree slaves could only obtain their liberty if their masters concluded a contract (which had to be duly registered by the administrative authorities), either with them or with a third party, releasing them, in return for compensation, from their obligation to serve them. This legislation had, in a sense, created a recognised juridical status for slaves and for slave owners and confirmed the latter in their rights of ownership. In this way there had grown up, in Togo and the Cameroons, a numerous class of household slaves (*captifs de case*) in a condition of semi-servitude which was sanctioned by the German legislation.

Since the French administration has been established in former German colonies it has been able to suppress the slave trade in its public forms; only one offence of this kind was reported last year from Togoland. But it has not found it possible to abolish, by a sweeping reform, the institution of household captives, which has been regulated by the German law. The problem is accordingly a more delicate one in Togo and the Cameroons than in Equatorial Africa, because a European colonising power had already regulated the status of these household captives. Nevertheless, the French officials are working to abolish this state of affairs. The provisions of the Decree of 1905 have been extended to the mandated territories. Proclamations have been issued informing the natives that the status of slave or captive is not recognised, and that all persons are free.

Although these measures are of quite recent date they have already borne excellent fruit, and many individuals have been emancipated in the districts in which the authority of the mandatory power is effectively exercised. But in the northern portion of the Cameroons barbarous conditions still prevail, and no great improvement in individual cases can be looked for until penetration has proceeded further than at present.

Finally, in order to ensure the complete abolition of slavery, it will be necessary to take drastic measures to stamp out cannibalism, which the German Administration had allowed to continue in certain parts of the Cameroons. Among some of the negro tribes cannibalism continues in collective form, in connection with certain sacrificial ceremonies. A decree was issued on April 28th, 1923 (See Annex III), rendering any person convicted of cannibalism liable to the death penalty. Owing to the enforcement of these measures and to the zeal of the French officials, slavery in every form will, before long, have been stamped out in the former German colonies.

IV. — *Madagascar.*

Even before the French occupation, the Hova Government, by the Royal Proclamation of June 20th 1877, had emancipated the black slaves, natives of Eastern Africa, who had been imported into the Island by Arab slave-dealers. The only slaves at the time of the conquest were household slaves, who enjoyed a comfortable existence and a certain amount of liberty.

The abolition of slavery was proclaimed in the Island on September 26th, 1896 (See Annex IV). The Resident-General's decree rendered null and void any contract depriving an individual of his liberty, and laid down that persons concluding such a contract would be liable to imprisonment for from two months to two years, and to a fine of from 500 to 2,000 francs.

The effects of the decree of September 26th, 1896, were both immediate and lasting; not a single offence against its provisions has been recorded in Madagascar since that date.

V. — *French Somali Coast.*

Though the slave trade has been completely stamped out in the different French colonies, it unfortunately still exists in the regions adjacent to the French settlements on the Somali coast.

When the French first settled on the Red Sea Coast, they discovered the existence of a caravan track utilised by slave convoys en route for Arabia. It was quite out of the question to maintain detachments in the Dankali desert to intercept these convoys; nor was it thought that a system of patrols would prove effective. The slave traders usually convoy their captives in small parties of 40 or 50 persons, and vary the route, if they suspect any danger. Any system of surveillance on land, either at Tajura, or at the various points on the coast accessible to dhows, would involve the employment of considerable fordes. The result would have been uncertain, for it is only eight days' march from the frontier of the colony to the sea. The captives are able to march this distance without fatigue, and, on reaching the coast, they are hidden among the population and live just like the other natives; then they are suddenly embarked by night in dhows which make for Tair near Koka, and thence proceed along the coast as far as Meddi. It is believed that they are carried from this point to Lith and thence to Rueys, half an hour's journey north of Jeddah; it is quite impossible to detect the presence of these caravans while they are hiding on the coast before embarkation.

Though it is a very difficult and expensive task to prevent this traffic on land, it can be effectively combated by sea. The French authorities at Obok and Jibutil have taken all the necessary administrative steps for the active policing of the territorial waters. The decree of January 7th, 1907, laid down that all commercial operations carried out by sea must be notified to the authorities. The terms of this proclamation were recently rendered even more stringent by the decree of January 19th, 1923, (See Annex V). The latter decree forbids dhows or other craft of less than one hundred tons to enter the territorial waters of the Gulf of Tajura except by the channels leading to the Customs Offices of Jibutil and Obok, where they are subjected to inspection. The captain must produce, whenever called upon, a special license authorising him to navigate in territorial waters; this license is issued by the authorities at one of the above two ports, and must specify that the vessel has been inspected by the Customs authorities; moreover, it has to be renewed for each voyage.

Up till 1911 the policing of French territorial waters was carried out by two armed dhows which were constantly cruising between Obok and Jibutil. As these vessels were very slow, the Administration of the Colony acquired, in 1912, the "Jibutil", which was specially fitted and armed for chasing slave dhows. This craft was capable of making long cruises. This form of supervision proved so effective that the slave-traders became discouraged and abandoned the traffic; no instance of slave-trading was reported during the two years preceding the war. During the war the patrolling of the Red Sea for war purposes was carried out by the British navy, which earned many tributes for its zeal from the French Administration. In April 1915 the dhow "Markani" was stopped off Hodeidah by a British warship. She was carrying 9 slaves on their way to Sabieh where an Arab chief named Ibria was awaiting them. The crew, consisting of 8 natives from the Dankali region, was sent to Aden and afterwards handed over to our authorities; all the offenders made confessions and were awarded the following sentences by our Secondary Native Court; the owner, captain of the dhow, 20 years penal servitude; the two supercargoes 15 years, and the mate 10 years penal servitude respectively; and the sailors 8 years imprisonment.

This active police work made the transport of slaves impossible, and there seemed reason to hope that the Arab traders, whose operations had been hampered for so long, had finally abandoned this infamous traffic. Unfortunately this proved not to be the case; and there was ample evidence, immediately after the Armistice, that the slave trade was again being carried on in the Red Sea.

The Administration of the French Somali Coast took steps to replace the "Jibutil", which had been sold in 1917. It purchased the motor-driven scout *Curieuse* which was equipped with a machine gun. This vessel rendered effective service in spite of its armament being inadequate against dhows, which always carry arms. In December, 1922, she chased and captured three dhows, which carried no flag and had no distinctive marks on their sails. It was found from an examination of the letters captured with them, addressed to natives of Tajura, that the smugglers were on their way to take over a certain number of slaves at prices and on conditions specified in the letters. The employers were sentenced by the Courts, for the offence of smuggling, to six months' imprisonment and a fine of 500 francs each; the cargo and the dhows were confiscated.

In January, 1923 the *Algol*, of the Far Eastern Division, undertook a cruise along the Dankali coast; she only fell in with one dhow whose papers were perfectly in order. The *Lievin*, of the Syrian Naval Division, also undertook a patrolling cruise along this coast in November 1922; but the slave traders must have received warning of her presence, and also of that of the *Algol* two months later, and no occasion arose for stopping suspected craft.

Since the war, the French and British Naval Authorities have continued to co-operate for the suppression of the slave trade. In July 1922 the British warship *Cornflower* seized a sambuk, carrying some 30 slaves, off Jeddah. The crew were brought before the Court at Aden. The chief slave trader, Sehem ben Omar, not being a British subject, was handed over to be tried by the French judicial authorities; the latter sentenced him on August 26th last to 10 years penal servitude and a fine of 3,000 francs; one of his men, Gammada Ali, was sentenced to one month's imprisonment and a fine of 200 francs.

Finally, in April last, with a view to strengthening the means at the disposal of the authorities in the Somali Coast Colony, the French Government created a permanent naval "Red Sea" station, and allotted to it the despatch boat *Albatross*, which is now on her way to her station. The task of this vessel will be to police the waters along the Somali coast and particularly to pre-

vent the traffic in slaves between Africa and Asia. She will keep in touch with the British and Italian vessels performing similar duties. Although the work of surveillance is more difficult to carry out on land, attention is drawn to the undertaking recently given by a French protégé, the Sultan of Gobad (the district on the south-west border of the colony near the Abyssinian frontier), to maintain police posts on the track followed by the caravans.

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It may be hoped, as a result of the measures which have been adopted that the slave trade will before long disappear entirely; the task is admittedly not an easy one. The steps formerly taken by the Abyssinian Emperors (Theodoros, Johannes and Menelik) and the efforts now being made by Ras Taffari (See Annex, Report on slavery in Abyssinia) have not succeeded in abolishing this scourge. The European Powers, though unable to adopt direct measures for repression in the territory of an independent State, have frequently endeavoured, through diplomatic channels, to stimulate the Abyssinian Government to energetic action for the hunting down of slave merchants. One of the best means of ensuring the disappearance of the slave trade would be to enable the Abyssinian Government to obtain the arms and munitions which it requires in order to compel the inhabitants of the country to respect the orders of the Central Government.

It is desirable, however, not merely to study the African aspect of this question, but to consider whether the suppression of the slave trade in the Red Sea could not be greatly assisted by adopting measures against it in the countries which at present form the destination of the caravans and in which the slave traders find good markets for their human merchandise, this applies particularly to the Kingdom of Hedjaz.

Annex.

SLAVERY IN ABYSSINIA

Abyssinia is the only Christian country in the world where slavery still exists (1). This anomaly must first of all be explained.

The Abyssinians, whose religion is imbued with Hebraic precepts, came into contact at the very beginning of their conquest of Ethiopia with races which they asserted, were descended from Ham, upon whom Noah bestowed a curse, condemning him to be the slave of his brethren. This was, in their eyes, a reason for reducing to slavery the negro Kushitic and Hamitic tribes against whom they had to fight and who did not follow the Mosaic Law. This Law, they pointed out, contains the following order : "And as for thy bondmen, and thy bondmaids, which thou shalt have; of the nations that are round about you, of them shall ye buy bondmen and bondmaids (2)."

Separated from the rest of the Christian world since the eighth century, Abyssinia was surrounded by Musulmans who practised slavery on a large scale. Whereas Justinian had endeavoured to suppress slavery, Mohammed was obliged, for reasons which are well known to condone it in the Koran; and as the Musulmans enslaved the Christians whom they captured in their expeditions, the Abyssinians, with whom they were soon in a constant state of war, naturally did the same to them (3).

In the thirteenth century slavery was, as it were, codified in the *Fetha-Negest*, a collection composed of Mosaic principles, Roman Law and Musulman customs. After having proclaimed, at the beginning of Chapter XXI (4), that all men were created free, the author hastens to add that the laws of war make slaves of the vanquished and invokes in support of this theory the above passage from the Pentateuch. Only "infidels", however, may be enslaved, and it is strictly forbidden to sell a Christian to an infidel. The condition of the slave is, as we shall see, regulated with a certain regard for humanity, and emancipation is, if not prescribed, at least recommended in certain cases. For several centuries slavery held undisputed sway in Abyssinia. Only in rare cases did sovereigns have their prisoners of war, the Galla or Shanquella (5), slaughtered, but they were quite willing to organise man-hunts among the negro populations of the Western confines of their Empire (6).

In Europe, where negro slavery and slave-dealing were tolerated for so long, the situation in Ethiopia only appears to have aroused disapproval in comparatively recent days.

Most of the travellers in the first half of the 19th Century even considered the lot of Abyssinian slaves as in general a happy one (7). Harris, who examined the question thoroughly at Shoa about 1840, admits that the condition of a slave there is, with rare exceptions "one of comfort and ease (8)".

Rochet d'Hélicourt makes similar remarks (9). But both writers, who witnessed raids by King Sahléh-Sellassiéh on the Galla tribes, deplore the cruel methods employed in recruiting slaves, and the latter successfully intervened to secure the liberation of the prisoners captured on one of these expeditions (10).

Apart from domestic slavery, there existed — and still exists — the traffic in slaves itself, which the Abyssinians themselves condemned at an early period. Christians were forbidden to take part in it (11).

Musulmans alone who, moreover, had almost a monopoly of the trade — practised it — frequently, indeed, with the complicity of the Christian authorities of the country (12).

The Galla and Shanquella slaves, who were prisoners of war or stolen children, were exported by Musulman merchants to the Sudan via Gallabat, or to Arabia via Massana or Zeila (13). Very few

(1) The majority of travellers in Abyssinia, both recent and others, but particularly the latter, have referred to this question.

One in particular, Antoine D'ABBADIE, wrote a monograph entitled *Present Causes of Slavery in Abyssinia*, 1877, which, however, we have not been able to obtain. At the present time the subject has once more come to the fore on account of the articles published in January 1922 in the *Westminster Gazette* by Major DARLEY and Dr. SHARP, and issued as a pamphlet. They contain many exaggerations and inaccuracies, but unfortunately are substantially true. Extenuating circumstances were pleaded in two articles setting forth the Abyssinian point of view, one in the *Afrique Française*, May 1922 by Dedjazmatch and the other in the *Westminster Gazette* of September 16th, by Dr. G. Martin, an Abyssinian brought up in India. Dr. Montandon, who is familiar with the question, having studied it on the spot ten years ago on his journey to Gimirra, gave a brief and impartial account of the question in the *Journal de Geneve*, with the help of information from M. Godi Schrenk, who returned from Abyssinia in March 1922. We have made use of his article in the second part of this note.

(2) *Leviticus* XXV, 44.

(3) At a period which is difficult to fix with any accuracy, Christians and Musulmans who had settled in Abyssinia appear to have agreed to cease the practice of reducing to slavery those prisoners of war on both sides who had not been massacred. At the beginning of the sixteenth century the King of Adel returned to the Emperor Naod all the Christian slaves in his kingdom (Bruce, French translation, Volume II, p. 132). Danakail and Somali have never furnished slaves to the Abyssinians, perhaps because they are Musulman.

(4) Entitled : "On Freedom, Slavery and Emancipation", V. translation by Guidi, p. 298-304 and summary by L. DE CASTRO *Nella terra dei Negus*, Volume II, p. 169-171.

(5) Bruce notes as an exception the general massacre which followed upon the defeat of the Gallain 1759 (French translation Volume II, p. 775-776).

(6) Compare Bruce, Volume II, p. 600.

(7) SALT, *Journey in Abyssinia*, French translation, volume II, p. 147; GOBAT, *Journal*, p. 28. RUPPEL, *Reise in Abyssinien*, Volume II, p. 29.

(8) *The Highlands of Ethiopia*, volume III, p. 309.

(9) *Voyage au Choa*, p. 283. The author adds that the King was almost the only slave-owner.

(10) *Second Voyage*, p. 208-210.

(11) Or rather were forbidden to sell their slaves. The penalty for selling a Christian slave was death, even before the reign of Theodorus. (Plowden in *Hotten, Abyssinia*, p. 194.)

(12) RUPPEL, *Reise in Abyssinien*, p. 29-30.

(13) COMBES and TAMISIER, *Voyage en Abyssinie*, volume IV, p. 92-99. Cf. Ruppel, *op. cit.*, p. 26. Harris, *op. cit.*, volume III p. 315-316.

remained in Northern Abyssinia, where indeed, they have always been less numerous than at Shoa.

The Emperor Theodoros was the first Abyssinian sovereign who endeavoured to combat this social evil. Desirous of fulfilling the wishes of European Governments, and thereby of preventing the spread of Islam (which was becoming the predominant religion of the slaves) he abolished this traffic immediately on coming to the throne ⁽¹⁾. He himself set the example of buying slaves back from dealers and then having them baptised ⁽²⁾.

Some years later, however, he relaxed the severity of these measures, and Gallabat once more became the chief Abyssinian slave-market for the Sudan ⁽³⁾, but slavers who sent Christians there incurred the penalty of having the right hand and left foot cut off ⁽⁴⁾.

After Theodoros, Johannes also made efforts to prevent, if not slavery, at least slave-dealing. Not only did this traffic, however, continue in Gojan and Shoa, which were more or less autonomous countries, but the Emperor himself was obliged to turn a blind eye to the sale of Galla women and children, prisoners of war captured by his soldiers ⁽⁵⁾. In the 12th year of his reign (1884) however, he concluded a Treaty with England by which he undertook both for himself and on behalf of his successors, to prohibit slave dealing, to do his utmost to prevent the import and export of slaves, to protect emancipated slaves and to punish severely persons who molested slaves, or endeavoured to reduce them again to servitude ⁽⁶⁾.

The Emperor Menelik had adopted the same attitude on this question even before coming to the throne. On the advice of the French traveller Pierre Arnaux, and after deliberating for three days, he issued a decree in February, 1875, which contained the following provisions: "No Abyssinian Christian may either sell or purchase slaves, and if any slave is brought to the market by fraud, he is entitled to claim his liberty and may appeal to the judges for protection; any Musulman crossing the Kingdom in charge of slaves will be arrested, thrown into chains, imprisoned, and sentenced. Emancipated slaves will be returned to their own country, or, if they so desire, admitted to the King's Palace. This decree is to come into force at once" ⁽⁷⁾.

This was a highly commendable action. Although it did not actually abolish slavery, as the narrator of Pierre Arnaux's journey claims, it was at any rate aimed at drying up its source and suppressing slave-dealing. But the decree of 1875 remained practically a dead letter.

In the following year the Emperor Menelik, on one of his expeditions to Gouraguic—a country, too, which was partly Christian—allowed his soldiers to make slaves of their prisoners. It is true that this was perhaps exceptional, since, in his letter of November 28th, 1878 to the heads of European States, the Emperor prides himself on having set at liberty on one occasion 5,000 and on another 20,000 Galla prisoners captured on expeditions of this kind ⁽⁸⁾. In 1889, doubtless at the time of his coronation, he again decreed the abolition of slavery; prisoners of war were not however included in this measure, though they had to be liberated at the end of 7 years ⁽⁹⁾. Although the sale and purchase of slaves could no longer be carried on openly, recruiting was still possible. Thus (from his campaign against the Wellomo in 1894), Menelik brought back 1800 fresh slaves ⁽¹⁰⁾. Later, at a date which we have not been able to determine, he forbade anyone to use the term *Baria* (slave) ⁽¹¹⁾.

But the states of the Gebbar (peasants liable to taxation and forced labour) at any rate in the Shanquella country, was, in many respects, similar to that of the slaves which Menelik claimed to have suppressed. Moreover, even though a slave could be sold, he could be given away, and the Emperor often accepted convoys of negro prisoners from his generals.

Menelik made no effort at first, to put the Slave trade down. In 1878 Cecchi visited a large market through which 3,000 or 4,000 slaves passed annually, at Rogeh, in a region which had for long been subject to Shoa. A more serious matter was that the King levied a duty of 2 dollars on each slave ⁽¹²⁾. Menelik was powerless to prevent this traffic, as he needed Musulman merchants to bring him salt from the coast ⁽¹³⁾, and to export ivory and gold, which were royal monopolies; the Emperor decided at any rate to draw profit from their dealings in his Galla subjects ⁽¹⁴⁾.

After the time of Cecchi's journey, however, the slave-trade with Arabia considerably decreased, owing to the fact that European States, England in particular, had established themselves at Aden and Perim, and were better able to keep watch on the navigation of dhows in the Red Sea ⁽¹⁵⁾. Things became more difficult for the slave merchants when Zeila, Obok and Massaua were occupied by England, France, and Italy respectively in 1884 and 1885.

(1) DUFTON, *Narrative of a Journey through Abyssinia*, p. 142.

(2) Plowden in HOTTEN, *Abyssinia*, p. 235. Rassam criticises this proceeding, which was followed by Europeans resident in Ethiopia, on the ground that it encouraged slave-dealers to obtain more slaves in order to sell them to these charitable persons (*Narrative*, volume I, p. 288).

(3) BAKER, *The Nile Tributaries of Abyssinia*, p. 515-516, with interesting details of the physical and moral qualities of the Galla women sold to the Sudan.

(4) LEJEAN, *Voyage aux deux Niles*, p. 130.

(5) ROHLF'S, *Meine Mission nach Abessinien*, p. 267. Compare the confessions made on this subject in 1883 by Johannes to the Italian Consul Branchi (*Green Book XV*, p. 147).

(6) This is the second Treaty signed on June 3rd 1884, at Adria by Admiral Hewitt. The text will be found in Wylde, '83 to '87 in the Sudan, volume II, p. 307-309 and *Modern Abyssinia*, p. 474-475.

(7) LANDE, *Un voyageur français dans l'Ethiopie Méridionale*, Part. I, p. 388.

(8) ROSETTI, *Storia Diplomatica della Etiopia*, p. 13-14. The author received slaves as presents, particularly from the King of Gimma (Compare BORELLI, *Ethiopie Meridionale*, p. 159).

(9) ILG, *Ueber das Gerichtswesen in Ethiopien*, 1912, p. 26. We have been told that this provision is still in force, but that, in practice, slaves generally prefer to remain in service with their masters.

(10) VANDERHEMM, *Une expédition avec le Négous Menelik*, p. 186.

(11) MONTANDON, *Au pays Ghimirra*, p. 219. Ch. Michel no doubt misinterpreted this reform when he wrote in 1898: "Slavery in Ethiopia has been finally abolished by the Negus" (*Vers Fachoda*, p. 470).

(12) ILG, *loc. cit.*

(13) *Da Zeila*, volume I, p. 490, 491.

(14) Cf. SOLEILLET, *Voyage en Ethiopie*, p. 212-213; PAULITSCHKE, *Ethnographie Nord-Ost Afrikas*, volume I, p. 285.

(15) CECCHI, *op. cit.*, p. 496.

In 1889, in the Treaty of Ushaleh concluded with Menelik, Count Antonelli does not appear to have found any difficulty in including an article by which "slave-dealing being contrary to the principles of the Christian religion His Majesty the King of the Kings of Ethiopia undertakes to prevent it by all means in his power, in order that no slave caravans may cross his dominions". In the following year Menelik requested the Italian Government to "deal on his behalf with all the questions regarding his country" which were to be discussed at the Brussels Conference on the suppression of the African Slave Trade, but in his letter to Crispi it will be seen that, as in his letter of 1878, his chief concern was that he should not be deprived of the necessary arms and munitions which he alleged to be necessary to suppress this trade ⁽¹⁾. Nevertheless, he subsequently gave evidence of his desire to co-operate with the coastal Powers in putting an end to the traffic, *e. g.* by the penalties which he pronounced in 1896 against slave dealers ⁽²⁾.

Although Menelik did not succeed in eradicating slavery from his Empire, the opposition which he encountered seems to have come principally from the priesthood. For the reason given at the beginning of this note, the priesthood, which considers itself the guardian of the Mosaic Law, still regards slavery as an institution decreed by Jehovah. In the time of Sahleh-Sellasseh, Harris even noted that the priests of Shoa claimed that to enslave heathen barbarians was a pious act, because it gave these wretched people an unhopd-for chance of becoming Christians, and indeed there is reason to believe that this argument is still upheld by many ecclesiastics of Shoa ⁽³⁾.

After this historical summary of the question, we will now examine the present position, and will deal in turn with the methods of recruiting slaves, their condition, and the slave-trade.

1. *Methods of recruiting.*

As has already been seen Galla and Shanquella Tribes were the chief sources of supply for the slave merchants; the Amhara Christians were only reduced to slavery in very exceptional cases, either through kidnapping or as the result of war ⁽⁴⁾.

Certain Galla tribes converted to Islam, have, since very early times, been left alone by the slave-hunters ⁽⁵⁾. During the reign of Menelik, the Galla, whose name had been, and is still at times, synonymous with that of "slave", were gradually liberated, even though they remained heathen. It should be borne in mind that the Race Gobena, who was chiefly instrumental in achieving the conquest of the Galla territories, belonged to this race itself, and further, that the Government was anxious that the annexed regions should not be depopulated. To-day very few Galla are slaves, at any rate in Abyssinia.

Similarly, at the time of Borelli's journey (1886-1888) a Decree had been passed exempting the Guragehs from slavery, on the ground that they were of Amharic origin and were for the most part Christians ⁽⁶⁾, although at the time of Sahleh-Sellasseh these people had been greatly sought after as slaves ⁽⁷⁾, and as late as 1878 had been sold openly in the market at Gebena ⁽⁸⁾; in issuing this decree Menelik was also no doubt influenced by his desire to completely pacify this rich country.

The Baria are now recruited from among the following peoples :

The Kaffecho or people of Kaffa, a country which was conquered by the Abyssinians in 1897 and is inhabited by an extremely mixed population, in which the former Kushitic element appears to predominate;

The Wollomo and their neighbours of the same race in the adjoining regions, Konta, Kullo, Gofa, Gemu, etc., also of Kushitic race, but with a separate language;

The Gimirra, a tribe which is a mixture of Kushites and negroes, but which, although brown in colour, is usually referred to indiscriminately by the Abyssinians under the disparaging term "Shanquella";

The Shanquella, a term which in Abyssinia applies indifferently to all the negroid tribes grouped in a semi-circle round Lake Stefanie as far as Erythrea, where one of these tribes at present actually bears the name Baria.

At the time (1894-1899) when these different people were brought into subjection by Menelik and his lieutenants, many raids were carried out in search of prisoners, that is to say, slaves. Nowadays these raids have become very rare ⁽⁹⁾, but the populations are still exposed to the activities of slave-merchants and slave-fanciers. Indeed, they have always been treated as the strong treat the weak by the comparatively superior races, such as the Galla ⁽¹⁰⁾, which surround them or live with them. In certain cases they even lend themselves to such treatment by selling their children as slaves ⁽¹¹⁾. At Kaffa, slavery was a legal form of punishment to which the majority of the inhabitants were liable ⁽¹²⁾.

It is not surprising therefore that the recruiting of slaves should still be an easy matter at Wollomo, Kaffa and in the negro countries ⁽¹³⁾.

(1) *Green Book XVII*, p. 6, and ROSSETTI, *op. cit.*, p. 77.

(2) Cf. VIGNERAS, *Une Mission française en Éthiopie*, p. 140-141.

(3) HARRIS, *op. cit.*, volume III, p. 315-316.

(4) As, for example, at the time of the Dervishes victory in 1888 and the sack of Gondar.

(5) Cf. Plowden in HOTTEN, *Abyssinia*, p. 195.

(6) Compare BORELLI, *Éthiopie Meridionale*, p. 440. According to another account, it was the Emperor Yohannes who, ignorant at having received Christian Guragieh slaves from Menelik, compelled his vessel to pass the measure of exemption.

(7) HARRIS, *op. cit.*, volume III, p. 31-39; ISENBERG and KRAPF, *Journals*, p. 120.

(8) Described by CECCHI, *op. cit.*, volume II, p. 60-62.

(9) Although some occurred in recent years at Madji, a region to the north-west of Lake Rudolph; their ostensible object was to put down rebellion.

(10) Compare PAULITSCHKE, *op. cit.*, volume I, p. 260-261.

(11) COMBES and TAMISIER, *op. cit.*, volume IV, p. 97.

(12) Cf. MASSALA, *I miei trentacinque anni di missione*, volume V, p. 60.

(13) In 1879 Gordon stated that seven-eighths of the population of the Sudan were slaves (HILLY, *Colonel Gordon in Central Africa*; p. 357).

There are two customary methods of obtaining slaves : either they are carried off (generally women and children) by Musulman slave-dealers or a number of slaves are handed over to the Abyssinian authorities by native chiefs in payment of taxes.

In the former case the slaves are sold individually; the transaction is always secret and is concealed under the fiction of a gift. Slave-markets, as such, have disappeared even at Djimma, which, together with Goreh, still remains, as will be seen, the starting-point of convoys of slaves for the interior and the coast ⁽¹⁾.

In the second case there is a regular practice of recruiting slaves who are intended to work for the Government or its representatives, and there is no need to take such precautions. In particular, when the Governor of the Province visit Addis Abbaba in order to bring his taxes, he is accompanied by numerous slaves who increase the numbers of the Imperial *Guebbi*. Others may be presented by the chief to his officers, who either keep them or bargain them away, or give them as a pledge or in payment of a debt, or in order to return a present.

2. Condition of the Slaves.

The slaves are collected in the *Mad-bet* (Common) of the *Gebbi* of Addis Abbaba, and are then told off to various duties. Of the men, the finest (Shanquella as a rule) are enrolled in a sort of negro guard, while the others are used as labourers, or during expeditions, as porters. The women and children form the innumerable domestic staff of the Royal household, and play an important part in the forced labour system (*gebbur*) and in war-time, in the transport train of the army.

Formerly the Galla, and particularly the Gurageh, who had been captured in war and had started as slaves, rose to high positions in the Shoan Court as was the case with freed men in Rome ⁽²⁾. The Shanquella, who are much less intelligent, and who are apparently not amenable to the influence of the Amhara, have not, at any rate, hitherto, furnished examples of similar promotion in the social scale.

As regards private individuals, the slaves, the majority of whom are women and children, are employed in domestic duties of the most exacting kind; such as grinding corn and carrying wood and water ⁽³⁾.

Often, if the legitimate wife of a master has not borne him a child, he takes a slave as concubine.

As regards agriculture, the male Shanquella are sometimes employed to cultivate the low-lying ground, where the other races are unable or unwilling to till the soil owing to the climate ⁽⁴⁾.

In spite of the cost, which may appear very low to us, a slave is for most people an article of luxury in Addis Abbaba ⁽⁵⁾. The more important chiefs possess a large number of slaves, not so much for the services which they render, as from motives of vanity, so that the master may say that he maintains so many persons under his roof.

The legal status of the slave is defined, as we have seen, in Chapter XXXI of the *Fetha-Negest*. The following are the points in regard to which these rules are still held valid, at least by the judges at the principal centres ⁽⁶⁾.

1. A slave may not be set at liberty unless he has means of obtaining a livelihood.
2. Any person who steals a slave from another person must not only restore him, but must hand over another slave, or the equivalent value, to the person from whom the theft was committed.
3. A female slave with child may not be sold unless the child is included in the sale.
4. If a slave is struck by his master and loses an eye he must be set at liberty.
5. If a slave has been compelled to kill anyone, responsibility does not rest on him, but on his master, who had compelled him to commit the act.
6. If a slave is beaten to death or is poisoned or put to death by his master, the latter is liable to the death penalty.
7. If a slave causes the death of a man, even by negligence, he is handed over to the family of the deceased.

In regard to many other points the rules of the *Fetha Negest* have been modified by custom, sometimes to the advantage and sometimes to the disadvantage of the slave.

1. Marriage between Christians and heathens is forbidden, as is also concubinage between a married freed man and a female slave, and between unmarried men and women and heathens. This rule is absolutely ignored. But it is the custom to baptize children born in the house and to provide them with an adopted father (the latter being often the master himself).

2. The child of a female slave is always a slave, but if the father is known, and if he becomes a free man, the child also becomes free.

As children are often separated from their parents who are slaves, the emancipation of the parent would not in this case affect the status of the children if they were slaves to another master.

3. A judge must refuse to recognise the emancipation of slaves if he has information that the slave has behaved in a brutal or insolent manner towards his master or his master's son, or if the slave has squandered his master's property.

(1) MONTANDON, *op. cit.*, p. 219-221.

(2) Cf. ROCHET D'HERICOURT, *Journey to Shoa*, p. 283. This was the case with Wehni-Azzaj, Weldo Zadik, not to mention other important chiefs who are still alive.

(3) In 1842 Johnstone remarked that this work was the hardest allotted to the women, and recommended the construction of mills in order to reduce the number of slaves (*Travels in Southern Abyssinia*, volume II, p. 62). In recent years a considerable number of mills have been built round Addis Abbaba, thus reducing the amount of slave labour employed.

(4) Cf. DE FELCOURT, *L'Abyssinie*, p. 62.

(5) These prices vary at present at Addis Abbaba between 20 and 100 dollars, or at the present rate of exchange (rate of 1922) between 120 and 600 French francs.

(6) In compiling this portion of the present note we have borrowed from a manuscript treatise by Mr. Walker, the British Consul at Goreh.

At the present day such a question would merely concern the master, and no judge would intervene in such a matter.

4. If a free woman marries a slave, she becomes the slave of his master.

Actually in such cases the woman always retains her liberty, and no master would attempt to deprive her of it.

5. A female slave may never be separated from her grown-up son, nor a male slave from his brother, his wife or his son.

In practice, especially when a family of slaves is captured, no attention is as a rule paid to the relations of its members or to their feelings. Husband, wife, children and relations are sold or given to different persons.

6. If a slave who has been lost is found by a free man, the latter must bring him up as his son.

Nowadays if a slave who has lost his way or escaped is apprehended at or near Addis Abbaba, he must be brought to the imperial market, where there is a common "pound" for slaves or animals which have been found. If his master does not claim him within a few days, he becomes provisionally the property of the Emperor or of the person who apprehended him.

7. A slave, being the chattel of his master, cannot inherit the latter's property.

As a matter of fact it often happens nowadays that a master bequeaths his property to his slave if he has no natural heirs.

8. A slave cannot give evidence before a Court.

Nowadays his evidence would certainly be accepted, especially in case of murder.

9. If the wife of the master commits adultery with one of his slaves she shall be flogged; her head shall be shaved, her nose shall be slit, and she shall be publicly proclaimed a harlot. The slave shall be put to death.

Nowadays this rule would not be applied. The husband would divorce his wife and the slave would take flight, or perhaps be shot by the husband. The courts of law would not be likely to take cognisance of the matter.

10. If a master, being married, commits adultery with a female slave, he shall be flogged, and the slave sold for the benefit of the Exchequer. If the slave is the property of another he shall pay a fine to her owner or, in default, he shall be flogged.

Here again custom has modified the severity of the law, and the matter would nowadays be arranged privately by the priests or friends of the two parties.

We observed at the beginning of this treatise that the Fetha-Negest mentioned seven cases in which emancipation was recommended. They are as follows :

1. If the slave has served the parent, grandparents or relations of his master.

2. If he has been presented for baptism by his masters or if he desires to become a priest or a monk.

3. If he has become a soldier.

4. If he has saved his master's life.

5. If he was conceived before his mother became a slave.

6. If he returned to his master after having been taken prisoner.

7. If he has been in the service of a master who has died without heirs.

Of these cases only the first is applicable to-day. On the other hand, there are two cases of liberation which are not expressly provided for in the Fetha-Negest, but which occur fairly frequently when the slave belongs to a large band in service with one master.

(a) If the master is generously inclined, he may authorise any particular slave to be paid a small wage (*pécule*) and in this way to save up the small sum necessary for purchasing his freedom.

(b) The master during his lifetime generally places a provision in his will freeing the whole of his slaves.

This was the case with Ras Mekonen and Ras Tessania, who owned a very large number of slaves. Even if the deceased has not done so, his heirs, out of respect to his memory liberate his slaves. In any case the latter usually remain in the service of their former master's family. When they leave, it often happens that, having no means of subsistence, they join bands of brigands. This is—as formerly at Rome—the chief objection to the wholesale emancipation of slaves.

When freed the slave does not enter a special intermediate category between slavery and freedom. The caste of freedmen, which played such an important part in the Roman Empire, has no legal existence in Abyssinia.

3.

Not all the slaves in the countries mentioned above are sent to the court or to the chiefs or soldiers of Shoa. Some of them, generally of the Goreh tribe, are sent to Tigre, and particularly to Wollo by conductors of caravans coming from these districts with loads of salt to the Western Galla territories. Still more take the road eastwards and are embarked for Arabia. The frontiers of the Sudan, which have been more strictly watched since the fall of the Mahdi regime, are now hardly ever crossed by slaves from Abyssinia.

These caravans, of which Montadon (who met one at Mocha) has left us a description ⁽¹⁾, follow special tracks in order to avoid Abyssinian posts, or else travel by night ⁽²⁾. They proceed towards the districts of Tomuga or Erkeh, which have always harboured this traffic, and from there they go to various points on the coast across Haussa, whose Sultan is in league with the

(1) *Op. cit.*, p. 281 and 288.

(2) *Ibid.*, p. 200, 221.

slave merchants. The unfortunate slaves thus brought from overseas chiefly consist of young women intended for Arabian harems and young men, who in former times were subjected to emasculation before embarkation ⁽¹⁾. This odious and often fatal practice seems to have disappeared on the coasts of the Red Sea.

The amount of slave-smuggling into Arabia is obviously very difficult to estimate. That it still exists is, unfortunately, undeniable. In June, 1922, a British warship captured in the Red Sea a dhow carrying twenty-six slaves from various parts of Abyssinia who had been embarked at Tajura and were to be transported to Jedda. The principal instigator of this criminal traffic, a Dankali who came within the jurisdiction of the French courts, was condemned by the Court at Jibutil to ten years' hard labour. The Abyssinian Government, which is under the guidance of the humane and enlightened prince Ras Tafari, gave due attention to this problem.

On November 9th, 1918, an imperial decree was issued expressly drawing attention to Menelik's decrees on the prohibition of the sale and purchase of slaves, and two slave-dealers were caught in the act and hanged at Addis Abbaba in July 1922. Nevertheless, so long as certain of the higher chiefs indulge in slave raids in order, as they pretend, to put down rebellion or punish refusals to pay taxes, so long as others at Addis Abbaba itself accept or bestow gifts of slaves, and so long as leading Abyssinians do not liberate their slaves in their own lifetime, thus setting an example to all, the evil may become less, but will not disappear ⁽²⁾.

This is a reform which the Christian empire of Abyssinia in the plenitude of its sovereignty, owes it to itself to carry out without delay.

REPLY FROM THE GOVERNMENT OF SOUTH AFRICA

Pretoria, November 18th, 1922.

I have read Sir Arthur Steel-Maitland's speech on the subject of slavery in Africa.

The Government of the Union of South Africa has no information to transmit to you in connection with this matter as happily slavery is not practised within the confines of the Union or of the Mandated Territory of South-West Africa.

(Signed) E. F. C. LANE,
For Prime Minister.

REPLY FROM THE BELGIAN GOVERNMENT

Brussels, June 16th, 1923.

[Translation.]

NOTE ON THE PRESENT POSITION IN REGARD TO SLAVERY IN THE BELGIAN CONGO AND IN THE RUANDA AND URUNDI TERRITORIES

1. In the case of the Belgian Congo a distinction must be drawn between the slave-trade and domestic slavery.

In accordance with the provisions of Article 9 of the General Act of the Berlin Conference of February 26th, 1885, and with those of the General Act of the Brussels Conference of July 2nd, 1890, concerning the slave trade, the Congo Independent State some years ago took radical measures which have resulted in the total suppression of the slave trade in its territory.

By a Royal Decree dated July 1st, 1891, any person who shall by violence seize another person for purposes of traffic or slavery, any person who shall trade in slaves, and in general any person who shall directly or indirectly be concerned in any way whatsoever in the traffic in slaves is liable to severe penalties, which, happily, the Courts are no longer called upon to enforce.

At the present time domestic slavery still exists as an institution among the tribes of the Belgian Congo.

Although the Government, in accordance with the recommendations of Article 5 of the Colonial Charter, has done all in its power to promote the extension of individual liberty, it was neither possible nor prudent to abolish by a stroke of the pen a traditional institution, the sudden disappearance of which would have caused a profound disturbance in native life.

The State, however, regards domestic slavery as contrary to the principles which the civil law describes as public and international.

(1) PAULITSCHKE, *op. cit.*, volume I, p. 175-176.

(2) The British and French Legations have taken the highly commendable step of emancipating all the slaves in the possession of their native staffs (August-September, 1922).



It does not admit the legal validity of such slavery, and refuses its assistance to natives who wish to take advantage of the existence of the institution to re-assert their authority over negroes who refuse to remain slaves.

It should be added that in most cases the domestic slaves are humanely treated. As a general rule they do not attempt to change their condition.

Domestic slavery is everywhere decreasing, and its disappearance is imminent. Its chief source of supply—inter-tribal warfare—is exhausted. By educating the negroes and bringing them more and more into contact with civilisation the agents of the Government will gradually induce them to adopt labour contracts for fixed periods as a substitute for the primitive institution of slavery.

A very extensive system of legislation on the recruiting of labour and on labour contracts safeguards the freedom of labour and effectively protects native labourers.

2. The slave trade was almost unknown in the Ruanda and Urundi territories when Belgium undertook their administration.

A few cases, however, were brought to the notice of the Administration in 1917 and subsequent years, and have led to severe punishment.

Domestic slavery was dealt with in a Decree by the Royal Commissioner dated November 22nd, 1921, providing for the compulsory registration of domestic slaves.

This measure has led to the gradual emancipation of domestic slaves. In March 1923, as the result of the influence of the Belgium officials, the last domestic slaves were set free.

Previous legislation on labour contracts was completed by a Decree by the Royal Commissioner dated April 22nd, 1921, for the improvement of the position of native contract labour.

LETTER FROM THE BELGIAN GOVERNMENT

Brussels, August 8th, 1923.

[*Translation.*]

In continuation of my letter of June 16th last (Directorate P. B. Congo Section, No 1413) regarding the enquiries made by the League of Nations into the slavery question, I have the honour to transmit to you herewith copy of a Decree adopted on March 28th, 1923 by the Royal Commissioner in the East African territories occupied by Belgium, and having reference to the abolition of domestic slavery ⁽¹⁾.

(Signed) JOSEPH DE RUELLE.

REPLY FROM THE BRITISH GOVERNMENT

I am to state that nothing has occurred in territories under the control of His Majesty's Government of a nature to justify any apprehension of a recrudescence of slavery. A copy of an ordinance issued in the Tanganyika Territory on the 9th of June last which bears on the matter was forwarded to you on the 17th ultimo ⁽²⁾.

It may be of interest to the Council of the League to refer to the action which has for many years been taken by the British navy in preventing the importation of slaves from Africa into Persia. This action has been taken largely in pursuance of a convention concluded in 1882 between His Majesty's Government and the Persian Government which made it lawful for British cruisers to visit and detain Persian merchant vessels suspected of being engaged in carrying slaves; such slaves when captured are manumitted by the British consular officer to whom they are delivered. The earliest agreement bearing on this traffic is the treaty signed in 1822 between His Majesty's Government and the Ruler of Muskat.

(Signed) CHARLES TUFTON.

REPLY FROM THE GOVERNMENT OF CZECHOSLOVAKIA

[*Translation.*]

The Minister for Foreign Affairs of the Czechoslovak Republic has the honour to inform you that slavery, serfdom and the exercise of any power in connection therewith in Czechoslovak territory are forbidden by Article 16 of the Civil Code. Under the terms of Article 95 of the Criminal Code, which lays down the penal provisions for such offences, every slave becomes free from the moment at which he enters Czechoslovak territory, or from the moment at which he is delivered into the hands of a Czechoslovak subject outside the territory of the Republic.

For the Minister :

(Signed) V. GIRSA.

(1) A copy of this Decree has been filed in the Secretariat and is at the disposal of Members of the Council.

(2) A copy of this ordinance is kept in the Secretariat for consultation by the Members of the Council.

REPLY FROM THE GOVERNMENT OF DENMARK

December 19th, 1922.

[*Translation.*]

On March 28th, 1891, Denmark ratified the General Act of Brussels dated July 2nd, 1890, regarding measures to be taken against the slave trade and calculated to further the progress of civilisation in certain parts of Africa, etc., together with the Declaration of the same date annexed to the General Act. The Royal Government also ratified, on May 10th, 1911, the Declaration signed at Brussels on June 15th, 1910, amending the fifth part of the Declaration annexed to the General Act of Brussels of July 2nd, 1890.

I may add that Danish law contains certain penal provisions, namely Section 214 of the Civil Penal Code of February 10th, 1866, and the Decree of June 3rd, 1835, embodying certain decisions in connection with the abolition of the trade in negroes.

(Signed) A. OLDENBURG,

Danish Minister at Berne.

REPLY FROM THE HUNGARIAN GOVERNMENT

March 20th, 1923.

[*Translation.*]

Slavery and the slave trade are unknown in Hungary except through scientific and literary works, since, owing to her geographical situation, Hungary is at a distance from the countries where this abuse exists, and since her sovereignty has never extended over territories in which slavery was to be found.

Individual liberty has always been protected by Hungarian law, in particular by the penal law. Sub-paragraph 2 of paragraph 324 of the Hungarian Law V of 1878, which constitutes the Penal Code of Hungary, lays down very severe penalties, ranging from 5 to 10 years' penal servitude, for any violation of individual liberty followed by the reduction to a state of slavery of any individual whose person is arbitrarily seized.

Moreover, by Law IX of 1892, Hungary ratified the Principal Act of the Brussels International Conference on Slavery in Africa and the Declaration annexed thereto. She also ratified in particular, by Law XXIV of 1911, the Declaration modifying paragraph 5 of the above-mentioned Declaration. As a result of the adoption of the engagement contained in Article 5 of the Principal Act, no new legislation was necessary, in view of the fact that the requisite protection under penal law was already guaranteed by previous legislation which accords with this Article.

I may add that, according to the information at the disposal of his Excellency the Royal Hungarian Minister of Justice, no criminal proceedings on this subject have ever had to be brought in Hungary, since no infringement of those provisions of the penal code has taken place. I would also point out that in virtue of Article 217 of the Treaty of Trianon, these International Conventions will not be applied as between Hungary and the Allied and Associated Powers which are parties to that Treaty.

(Signed) ZOLTAN BARANYAI,

*Director of the Royal Hungarian Secretariat
accredited to the League of Nations.*

MEMORANDUM COMMUNICATED BY THE GOVERNMENT OF INDIA

EXISTING SITUATION IN REGARD TO THE QUESTION OF SLAVERY

Slavery was recognised by both Hindu and Mahommedan law and the ownership of and trafficking in slaves were lawful, under both systems. An elaborate report prepared by the Indian Law Commissioners and presented to the House of Commons in 1841 demonstrates that various types of slavery and servitude were still prevalent over a great part of the Indian continent at that time. But it is evident also that the Courts, speaking generally, were reluctant to recognise and enforce claims to ownership of slaves or alleged rights over them.

In 1843 a brief act was passed by the Governor General in Council which made it illegal within the territories of the East India Company for any public officer to sell or cause to be sold any person, or the right to compulsory labour or services of any person, for the enforcement of any demand of rent or revenue; or to enforce rights arising out of the alleged property in the person or services of another as a slave; and declared that any act which would be a penal offence

if done to a free man shall be equally an offence if done to any person on the pretext of his being a slave.

The Indian Penal Code makes it an offence to detain any person against his will as a slave.

Slavery in the more civilised parts of India long ago disappeared; predial servitude, which continued in a mild form in certain areas, died out more slowly.

As the frontier of the Empire extended the Act of 1843 was applied to the newly acquired regions with the least possible delay. In such territory and even in independent states on the borders of British India, the British policy towards slavery was introduced as soon as practicable. For instance in Chitral State on the North West Frontier bondsmen of the type of household servants and field labourers had long been regarded as constituting a valuable form of property. Chitral State came under political influence in 1895 and the traffic in slavery was then declared illegal. Through the good offices of the Chinese Government the Government of India were able in that year to obtain the release and return of 107 natives of Kashmir and Chitral who were held in bondage in Chinese Turkestan.

Reports received from India during the past 10 years show that practices still exist in some places on the confines of the Indian Empire which approximate to slavery. The measures taken are gradually, but rapidly, bringing about their abolition. Outside British jurisdiction they will continue, but the knowledge that within British jurisdiction the buying and selling of slaves are offences drastically punished and that slaves from anywhere, who succeed in reaching British territory, are treated as free men, and cannot be restored tends to weaken and in time break down the old practice of slavery even beyond the limits within which British enactments are in force.

The places to which attention has been directed in this connection of recent years are only three in number. One is an area in Northern Burma, known as Hkamti Long, recently occupied and ruled by Shan chiefs; itself a valley surrounded on three sides by lofty mountains, it is separated from N. E. Assam by high mountain ranges. The other two are in Assam on the N. E. Frontier and further south in the Lushai Hills.

During the last ten years the number of slaves in Hkamti Long has been reduced by two thirds, mainly by means of a system elaborated by British Officers and accepted by the Chiefs whereby slaves are encouraged to purchase their redemption. This is supported by a declaration that all children born after the British occupation will be regarded as born free, and by the experience that severe penalties are enforced when trafficking in slaves comes to light. In this area it is anticipated that slavery will cease to exist in two or three years, just as it has ceased to exist amongst other tribes and in more settled areas since the British Government was introduced.

The North East frontier of Assam offers a more difficult problem as the tribesmen are only partially under control and any but very gradual interference with their customs gives rise to quarrels and general unfriendliness, leading to murders, raids, and hostile demonstrations which it is impossible to ignore. But the prohibition against buying and selling and the strict enforcement of the Penal Code in neighbouring districts will in course of time, and no very long time, lead to the institution dying a natural death in the unadministered territory also. Meanwhile the so-called slaves are little different from servants. The administered districts are close at hand into which they can move if ill treated or desirous of leaving their masters. While conditions vary slightly along the border in the different tribes with the intensity of the administrative control it can be stated without hesitation that even among the tribes most recently brought under political control the practice of keeping slaves will soon be a thing of the past.

Among the Lushai Chiefs a modified system of servitude exists. Before British occupation the practice was slavery pure and simple; persons became "bois", as they are termed, on account of debt, or to obtain food in famine, etc. The "bois" are maintained by chiefs in return for service. Though no doubt their work is often more valuable than their maintenance, according to local custom the Chiefs are bound to support even the incapable if they enter the Chief's houses. Rules have been framed by means of which "bois" can through the Courts obtain their freedom on payment of all claims against them, the maximum liability admissible being fixed at a very low figure. The Government of India are expecting to receive information shortly which, it is anticipated, will show that little trace of servitude in this area now remains.

REPLY BY THE PORTUGUESE GOVERNMENT

[*Translation.*]

Lisbon, July 24th, 1923.

In your letters of October 9th, 1922 and May 5th last, you requested the different Governments to furnish you with any information which might serve to throw light on the important question of the slave trade. Portugal is, at the present day, in possession of specially ample documentary material on this question, and the Portuguese Delegation to the Fourth Assembly will be happy to communicate it to the League of Nations. The Government will supply its Delegation with all the necessary material and the League of Nations will be free to make use of it for a careful consideration of the question.

The Slave trade was abolished in the Portuguese Colonies by a law of very old date (Decree of February 25th, 1869). Prolonged efforts were required in order to secure the enforcement of the law, but the results now attained are so satisfactory that we are justified in declaring that for a long time past—particularly since the establishment of the Republic—it has become impossible for this trade to be carried out in any portion of Portuguese territory, either openly or by

clandestine methods. We have proved this up to the hilt whenever calumnious accusations have been brought against us.

The Portuguese code in respect of native labour is certainly one of the most liberal and the most complete which has ever been published or put into force. It is only necessary for us to send you the Native Labour Regulations for 1914 to convince the League of Nations of this fact. The native, in our country and in all our colonies, is a free man, who is protected by the State, but only with a view to ensuring him the fullest exercise and the most complete enjoyment of his liberty.

Not only is our legislation perfect, but its observance is strictly forced by all the authorities and by special officials. If irregularities or offences are brought to notice, the severest penalties are unsparingly applied, with the result that, at the present date, infractions of law are becoming constantly rarer, either because the natives are more familiar with the laws for their protection or because the employers and their subordinates recognise the advantages of these laws; and yet, although we are able to produce irrefutable evidence in support of these statements, there are still people who venture, on occasion, to accuse Portugal of irregularities and even of crimes in her treatment of the natives! We will content ourselves with replying to them in the eloquent and incisive words which Dr. Brito Camacho, the High Commissioner of Mozambique, a person whose authority and high moral character are beyond reproach, recently employed in one of his reports to the Minister for the Colonies :

“The reiterated allegations that the slave trade is still being carried on in the Portuguese Colonies can no longer be attributed to humanitarian zeal but can only be accounted for by sinister motives which are not only malicious, but are as criminal in their object as the crime which they so freely attribute to us.”

(Signed) AUGUSTO DE VASCONCELOS.

REPLY BY THE GOVERNMENT OF SAN SALVADOR

July 18th, 1923.

[Translation.]

The abolition of slavery in Salvador was proclaimed in the year 1823, at a time when the country still formed part of the Central American Federation. This proclamation was obtained from the National Assembly of the Federation by the eminent José Simeón Cañas y Villacorta, one of the deputies of Salvador. The abolition of slavery in Salvador therefore precedes by forty years its abolition through the agency of Lincoln in the United States of America.

In this connection, I may quote one of the principles of our Political Constitution, which runs as follows :

“Art. 10. — In this Republic every man is free. No person entering its territory can be a slave, and no person engaged in the slave traffic can be a citizen”.

(Signed) R. ARRIETA ROSSI.

REPLY FROM THE SIAMESE GOVERNMENT

Bangkok, November 29th, 1922.

On the question of slavery in Africa, His Majesty's Government, of course, have no information to furnish.

And as slavery no longer exists in Siam, it follows that the question has no application in this country and, on that account, also, the Royal Government have no information to communicate.

(Signed) DEVAWONGSE,
Minister for Foreign Affairs.

Replics to the effect there that was no information concerning slavery which they could usefully communicate, have also been received from the Governments of the following States : Albania, Australia, Austria, Bulgaria, Canada, Finland, Greece, Guatemala, Haïti, Japan, Latvia, Lithuania, Netherlands, Norway, Sweden and Switzerland.

