

Slavery & Islam

Jonathan A.C. Brown

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Jonathan A.C. Brown's *Slavery & Islam* is an important and well-researched book on the contentious issue of slavery in general and in the Islamic civilization in particular. It is an ambitious project in which Brown aims to offer an account of how slavery was conceptualized, practiced, and eventually abolished by Muslims. Strictly speaking, it is hard to categorize the book as belonging to a specific field of academic inquiry. Within its scope, it is a well-argued polemic of an American Muslim public intellectual, an extensive discussion on moral philosophy concerning slavery as an institution, an examination of the aspects of the social and legal history of slavery in Islamdom, as well as a thorough analysis of Muslim reactions to post-19th century European abolitionism.

Being so many things at once, the book is not written in strictly academic language. Brown is forthcoming in enumerating his motives – academic as well as personal and political – in writing such a book amid the rise of ISIS in Middle East and its resuscitation of slavery, especially slave-concubinage.

Slavery & Islam consists of an introduction and seven subsequent chapters, the last of which serves as a quasi-conclusion. There are also six appendices and four beautifully printed illustrations (a map, two miniature paintings, and a table) in the book. Brown draws information from a remarkable variety of sources, spanning from the 4th to the 21st centuries. Among some of the noteworthy texts are those from the Ancient Greek philosophical tradition and Stoics, foundational and authoritative texts of Muslim jurisprudence as well as post-19th century texts produced by Muslim ulama/intellectuals in the face of European abolitionism. Although Brown is careful in historicizing, sometimes he resorts to generalizations; for example, in chapter 3, he attempts to offer a broad picture of how an ideal form of slavery, as regulated by Shariah, was practiced on the ground by Muslim communities.

The book sets out to reconcile the moral challenge presented to Muslim and Western sensibilities by the fact that the tradition they venerate at the least condones something that they consider grossly and intrinsically evil. As Brown notes, this may leave the modern individual suspicious towards the moral authority of these traditions, and in the case of Muslims, suspicious of

the moral authority of the Prophet who owned and allowed Muslims to own slaves. In addressing this theological and moral problem, Brown argues that it is impossible to identify a trans-historical and trans-geographical category of slavery, which could apply to all times and places. Therefore, our moral projections conditioned by the horrible practices of Atlantic/American slavery should not lead us to pass judgement on every other type of slavery based on its circumstances. This is especially imperative given the fact that people had started to condemn slavery as morally repugnant only in the 19th century when it became economically feasible to do so.

Academic publications often provide justification and context for why and how a particular project came about in the first place. Brown's introduction, therefore, retains residues of a public debate rekindled by his Georgetown lecture delivered in February 2017, where he was accused of – among other intellectual crimes – relativizing the idea of freedom to legitimize slavery.¹ He takes pains to establish, for example, that he firmly believes slavery is evil and that he is not offering an apologetic for slavery. For a non-American reader, these passages are truly a spectacle – windows through which one can better understand how sensitive the question of slavery remains in the US and how public discussions around it unfold.

The central question focused on in chapter 1 is whether we can define “slavery” as a trans-historical phenomenon and pinpoint it in a material, earthly context. Brown's multifaceted examination points to the fact that it is impossible to classify the vastly disparate experiences of individuals living during different periods throughout history who were formally called “slaves” under a single category. For Brown, slavery is not the only form of unjustified dominance over others. Though they are not formally slaves, some prisoners in the US, for instance, are forced in shackles to work for no payment at all – a scene definitely reminiscent of plantation slavery. According to Brown, however, the discussion should not lead to its logical end. Just because it is impossible to come up with a definition applicable across time and space, one cannot argue that forms of slavery did not exist trans-regionally and trans-historically. The point to note is that moral repugnance

1 The heated debate following the lecture was covered by Valerie Strauss in a The Washington Post article. See: <https://www.washingtonpost.com/news/answer-sheet/wp/2017/02/17/georgetown-professor-under-fire-by-conservatives-for-lecture-about-slavery-and-islam/> (Last accessed 21.03.2020). For a more learned opinion see: Bethany Allen-Ebrahimian, “The Making of Islamophobia Inc.” available through <https://foreignpolicy.com/2017/03/16/the-making-of-islamophobia-inc/> (Last accessed 21.03.2020).

of the Atlantic slavery and the subsequent repentance of the West through abolitionist discourses have provided Western civilization with a sense of moral superiority. This, in turn, served as a justification for imperial expansion and a tool in the service of unjustified moral condemnation of others. Ultimately, as Brown propounds, it is paradoxical to condemn one unequal power relationship in order to endorse another.

The subsequent two chapters are aimed at addressing the following vital question: how was slavery regulated and practiced in Islamdom if it was so dramatically different than the slavery we know of? In chapter 2, the author delves into the legal details of Islamic slavery (*riqq*). Brown argues that Islam brought principles which narrowed the legitimate sources of enslavement, alleviated the conditions of those who were already slaves (by giving them rights to bodily protection, to religious freedom, to limited property, to appeal to courts, and to marry), and encouraged the manumission of slaves (for example by *mukātaba* contracts). Brown concludes that the legal condition of slaves as conceptualized by Shariah is similar to other dependent segments of society (such as minor children and wives).

The legal framework established by Shariah does not always have to correspond to reality on the ground. Accordingly, chapter 3 offers a panorama of slavery in Islamic civilization. This comprehensive discussion includes information on slave populations, the routes of Muslim slave trades, the racial dimensions of slavery, and the roles of slave people in Islamic societies. Brown shows that slavery was often racialized. Even though it is undeniable that blackness and slavery were somehow associated, being a Circassian, Greek, or Kipchak Turk also carried connotations related to slavery in people's minds. Yet again, even though it was strongly condemned by ulama, especially from the early 10th century onwards, anti-black racism was also present. The variety of social and political roles played by slaves in Islamic societies is astounding. However, Brown notes that it is hard to estimate the living conditions of ordinary slaves in the pre-modern period since sources are practically non-existent. As for the 18th and 19th centuries, Brown presents some accounts penned by European travelers who had conversations with slaves. From these conflicting accounts, a coherent picture does not emerge either. Brown suggests that their lives were neither notably positive nor negative. He stresses, on the other hand, that the high rate of manumission, frequent conversions to Islam, and the fact that children fathered by freemen from their slave women were legally free prevented the natural reproduction of a slave caste. In other words, slave status was, more often than not, temporary.

In chapter 4, Brown introduces a concept he formulated: The Slavery Conundrum. It is composed of three axioms: slavery is slavery; slavery is an intrinsic and gross moral evil; our pasts have a moral authority over us. He argues that even though these three axioms cannot exist at the same time, they do as a manifestation of what Brown calls the “abolitionist consensus.” First, two parts of the Conundrum had been used by 19th century abolitionist propaganda to effectively end legal slavery. Brown uses his discussion in the previous chapters to demolish these two axioms. In his argument, slavery is a multifarious phenomenon and it can consequentially be evil. He extrapolates that we don’t have to judge long-standing traditions of human thought and religions by abolitionist standards, which are themselves politically motivated and only focused on ending legal slavery, while dismissing other forms of injustices prevalent in unequal power relationships. Once established in the 19th century, he argues, abolitionist consensus had repercussions for Christians and Muslims alike. For example, American Protestant intellectuals came to question the textual integrity of the Bible as God’s revelation. As Brown also notes, in Islam such questioning, if turned into a conviction, would take someone outside the fold of Islam. How, then, did Muslims cope historically with the moral problem created by abolitionist discourse?

Brown’s most original contribution comes in chapter 5, where he masterfully examines the writings of a myriad of intellectuals from all over Islamdom. As a result, he is able to identify locations and strands of Muslim responses to the problem. He argues that slavery had not been problematized as a moral issue before modernity. Pre-modern Muslims had approached it strictly from a theological perspective. What they perceived as problematic about slavery was that it implied servitude to man while God had made it clear in the Quran that mankind should only be slaves to God. Brown stresses that Muslim encounters with the moral – as opposed to theological – challenge of slavery came under the limelight when chunks of Muslim lands had already fallen prey to European expansionism. Thus, in the eyes of Muslims, those who condemned slavery were in effect taking aim at Islam itself. In the accounts of Muslims who had expressed issues with the slavery, it is hard to overlook the defensive tone. Brown clearly demonstrates that even after confronting European abolitionism, those Muslims who viewed slavery as an axiomatic evil were always a tiny minority. In arguing for abolishing slavery, others used a discourse very much within the confines of legal reasoning (such as *al-taqyīd al-mubāh*, for example) already existing in the Shariah without arguing for its absolute moral repugnance per se. In their eyes, slavery was wrong when its practice did not conform to the Shariah’s provisions.

In chapter 6, Brown attempts to analyze Muslim responses against the criteria of the Slavery Conundrum. The majority of responses suffer from a deficiency – that is, the lack of a clear moral condemnation of slavery. Here, he offers a very interesting discussion on morality. In his mind, a Muslim's framework of morality should not be guided by the morality produced by post-Industrial Revolution Western values. The pre-modern Islamic scriptural tradition must outweigh other sources of morality, which may or may not contradict it. In Brown's mind, however, this is in no way a justification for what ISIS had done in enslaving Yazidi women – even though they had tried to use it as such. As he demonstrates in previous chapters, there are countless examples in the Islamic scriptural tradition and in the writings of post-19th century Muslim intellectuals commanding that slavery must eventually come to an end. He implies that, even looking at it from a purely legalistic perspective, a century old Muslim consensus is sufficient reason not to revive the practice.

In chapter 7, on top of offering a conclusion summarizing the arguments of the book, Brown has taken liberties to examine a phenomenon which stirs the utmost revulsion – slave-concubinage. In today's Western legal thought, a human's bodily autonomy and integrity is protected by the notion of consent. Consent as a legal term existed in Shariah, but it was not as important as it is today in late-modern Western legal thought. However, this does not mean that what is intended by the notion of consent – protection of bodily autonomy – had not been addressed by other legal concepts. Brown puts forth the concept of *ḍarar* (harm) as a counterpart. Women, for example, appeared before judges to complain about the bodily harm they endured during sexual intercourse, in which cases judges ruled in their favor. In Brown's mind, this is a clear example of a failure in cross-cultural communication.

All in all, *Slavery & Islam* delivers what it promises. The book successfully accounts for how Muslims conceptualized, practiced, and eventually abolished slavery. It is so rich in terms of historical material that small chapter conclusions would have been extremely useful. Otherwise, the book is well-organized, and the chapters are well-connected. If I would have to highlight only one of Brown's accomplishment, it would be his extreme success in contextualizing the historical content he prodigiously collected from a vast pool of primary and secondary sources.

İbrahim Kılıçaslan, Ph.D. Student

Boğaziçi University

ORCID 0000-0002-9014-3747

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