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AFRICAN LIBERALISM IN THE AGE OF EMPIRE? HASSUNA D'GHIES AND LIBERAL CONSTITUTIONALISM IN NORTH AFRICA, 1822–1835*

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Although in most accounts of liberalism Africans appear only as passive victims or beneficiaries of European policies, in the early nineteenth century many Africans shared liberal aspirations for the "good society" based on free trade, constitutional government and individual property. However, African liberalism was articulated in the context of an existential crisis provoked by the new European world order. Hassuna D'Ghies, educated in Tripoli and Europe, articulated an overtly "African" liberal response to this crisis of adaptation through his writings and political activity in London in the 1820s. By the end of the decade, D'Ghies had abandoned this project and returned to North Africa to take up a more authoritarian model of reform that ultimately led to the reabsorption of Tripoli and its region into the Ottoman Empire. D'Ghies's turn toward an "imperial liberalism" underwritten by Islamic legitimacy suggests the impossibility of reconciling African autonomy with European liberal claims to universality, and the ways in which African political thought was fragmented by imperial globalization.

In recent years historians have begun to draw a much richer picture of the "liberal moment" of the 1820s, revealing a broader and more complex international network of interaction, conversation and critique. We know that Atlantic currents of liberal thought travelled between Europe, North America, South America and the Caribbean, giving rise to new independent states, and what Gabriel Paquette has called "an explosion of constitution-making."[1] In

* This paper has benefited immeasurably from the comments and suggestions of the editors of this forum and the participants in the workshop on "Global Liberalisms" at the University of Sydney: my sincere thanks to all of them.

1 Gabriel Paquette, "The Brazilian Origins of the 1826 Portuguese Constitution," in Matthew Brown and Gabriel Paquette, *Connections after Colonialism: Europe and Latin America in the 1820s* (Tuscaloosa, 2013), 108–38, at 108.

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the Arab world too, Albert Hourani long ago identified a "Liberal Age" of Arabic thought that connected a new generation of Arabic-speaking intellectuals to transformations occurring in Europe.[2] Christopher Bayly has extended the picture of a "constitutional liberal moment" by charting the lineage of Indian reformist thought: a shared sense that a "diffusion of useful and moral sentiments would ultimately create a liberated, trans-national civil society."[3] African liberalism, in contrast, remains almost unexplored: the history of colonialism, radical resistance struggles, and postcolonial authoritarianism tends to position liberalism as something that is done *to* Africa rather than a form of thought with an indigenous genealogy. Yet the desire for constitutional government, ambitions for the "good society," and demands for rights built on individual property were shared by many Africans in the nineteenth century.

Hassuna D'Ghies deserves to be understood as one of these forgotten African liberals. Born in 1792 in Tripoli, today the national capital of Libya, but in the early nineteenth century a largely autonomous North African city state under nominal Ottoman sovereignty, D'Ghies received his earliest education at the Madrasa of Tajura, training to become a *qadi*, a function uniting both religious and judicial functions. In 1813, however, to complete his son's education, D'Ghies's father encouraged him "to travel in Europe in order to unite a knowledge of the civilization of Europe with that peculiar of his own country."[4] According to a shipboard companion, Mordecai Noah, the young Hassuna D'Ghies was "full of correct and noble sentiments, and spoke French and Italian fluently."[5] In Europe, D'Ghies wrote, "I endeavoured to fill up in some sort the deficiencies left in my education by our Universities."[6] A note he published later in praise of his friend, the Indian notable Mohammed Ismael Khan, suggests that the motives of his own journeys were similarly "to know for himself the manners of its inhabitants, the current state of their industry, their monuments, and in general all that was most remarkable in European civilization."[7] These years of study and travel, then, equipped D'Ghies to enter the public conversation in Europe. His contribution, however, was not that of a naive admirer dazzled by European civilization: it was

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2 Albert Hourani, *Arabic Thought in the Liberal Age, 1798–1939* (London, 1962).

3 C. A. Bayly, "Rammohan Roy and the Advent of Constitutional Liberalism in India, 1800–30," *Modern Intellectual History*, 4/1 (2007), 25–41.

4 National Archives, London, FO 76/33

5 Mordecai Manuel Noah, *Travels in England, France, Spain, and the Barbary States: In the Years 1813–14 and 15* (New York, 1819), 358.

6 Quoted in Jeremy Bentham and Philip Schofield, *Securities against Misrule and Other Constitutional Writings for Tripoli and Greece* (Oxford, 1990), 158.

7 Hassuna D'Ghies, "Note fournie par M. Hassuna-Dghiez, de Tripoli sur Mohammed Ismael Khan, voyageur persan, qui est parti dernièrement de Paris pour Londres," *Revue encyclopédique*, 15 (1820) 217–18, at 218.

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an explicitly political intervention by an African seeking constitutional solutions for reform of a society threatened by imminent economic failure, civil war and imperial intervention.

D'Ghies was not the only North African engaged with the "liberal moment" of the 1820s, but he was the sole figure to speak overtly as an African. Unlike the "Arabic" thinkers that Hourani identified, he did not choose to write or publish in his native language, but instead chose French and English to communicate his ideas. This break away from the Arab intellectual tradition was a political choice. Africa was emerging into the foreground of European ideas as a vast, adjacent, and untapped resource, and the conception of Africa as a blank space ready for development would be crucial to the "imperial turn" of the 1830s. European imperialism in Africa would carve up the continent, rupturing economic, cultural and religious connections and fragmenting older political systems. The legacy of colonial ideas leads us to imagine North Africa as a region dissociated from Africa proper. Tripoli defies such imperial geography. For centuries its commercial, religious and political connections had stretched deep into the Sahara, toward East, Central and West Africa, and across the littoral from Egypt to Tunis, Algiers and Morocco. John Wright called it the place "where Africa begins."[8]

Liberal ideas in early nineteenth-century Africa have generally been interpreted as foreign imports with only weak indigenous roots. The earliest "modern African thought" has been located between the Caribbean and West Africa, when emancipated slaves founded new polities such as Liberia.[9] The liberal discourse of these black settlers, derived largely from European abolitionism, had little to offer for African societies.[10] The economic consequences of ending the slave trade provoked what A. G. Hopkins called a "crisis of adaptation" for West African societies: a crisis that laid the ground for economic dependency, informal empire, and finally imperial annexation.[11] Most West African Creole liberals in French and Portuguese coastal settlements from Saint Louis to Luanda remained closely tied to metropolitan governments, and helped to legitimate their expansion of control over the interior.[12] In the British colony at the Cape, some Khoisan people did make use of the language of British liberalism to seek protection against dispossession and exploitation by Dutch settlers, but only in

8 John L. Wright, *Libya, Chad and the Central Sahara* (London, 1989), 11.

9 Robert William July, *The Origins of Modern African Thought: Its Development in West Africa during the Nineteenth and Twentieth Centuries* (New York, 1967).

10 For a striking example see Winston James, *The Struggles of John Brown Russwurm: The Life and Writings of a Pan-Africanist Pioneer, 1799–1851* (New York, 2010).

11 Anthony G. Hopkins, *An Economic History of West Africa* (London, 1973), 121–2.

12 Gerald J. Bender, *Angola under the Portuguese: The Myth and the Reality* (Berkeley, CA, 1978); Raymond F. Betts, *Assimilation and Association in French Colonial Theory, 1890–1914* (New York, 1961).

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the frame of missionary Christianity.[13] In sub-Saharan Africa, then, liberalism emerged uneasily in the gap between old and new forms of empire.

In North Africa, the "crisis of adaptation" was equally intense but materially different. The strongly urbanized states of Algiers, Tunis and Tripoli acknowledged the Ottoman Sultan as nominal suzerain, but exercised virtual autonomy, concluding separate treaties and refusing to pay contributions to Istanbul. They exacted tribute from the peoples of the hinterland, but in other ways they remained small islands in a territory structured by the lines of cultural and tribal affiliation.[14] For centuries, North African ships had controlled large regions of the Mediterranean, reaping rich rewards through piracy or the payment of large sums in exchange for treaty protections.[15] In 1815, the Congress of Vienna outlawed piracy as an affront to international law. North African regimes were suddenly searching for new sources of revenue in order to survive. They turned toward the interior of Africa, and the caravan trade. Tripoli's trade with the interior, however, principally involved slaves. Thus the suppression of piracy and the abolition of the slave trade, coming simultaneously, trapped North African states between a rock and a hard place. Under these conditions, North African liberals were articulating their ideas, not simply in the context of modernizing aspirations, but in response to an existential crisis.

North African liberals were faced with three principal options: to oppose ruling regimes from exile on the basis of universal liberal principles, to enter the government and try to reform it from within, or to seek external intervention to impose reform. Along his political and intellectual trajectory Hassuna D'Ghies occupied each of these positions successively. He first emerged, however, as an "African" abolitionist in the early 1820s, attempting to mitigate the economic impact of wholesale abolition on emergent states still largely dependent on slavery, and it is this portion of his trajectory that this essay sets out to explore.

FROM LIBERTY TO THE RIGHTS OF NATIONS: AN "AFRICAN TRAVELLER" IN LONDON

In 1822, almost a decade after his first arrival in Europe, Hassuna D'Ghies made up his mind to leave Paris for London. Paris at this moment was the capital of European orientalism, while London was the leading destination for European

[13] Stanley Trapido, "The Emergence of Liberalism and the Making of Hottentot Nationalism 1815–1834," *Collected Seminar Papers: Institute of Commonwealth Studies*, 42 (1992), 34–60.

[14] K. S. McLachlan, "Tripoli and Tripolitania: Conflict and Cohesion during the Period of the Barbary Corsairs (1551–1850)," *Transactions of the Institute of British Geographers*, 3/3 (1978), 285–94.

[15] Daniel Panzac, *The Barbary Corsairs: The End of a Legend, 1800–1820* (Leiden, 2005).

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liberals in exile. As D'Ghies wrote later, Britain appeared to him at that time as *un pays libre*, and its project "a liberal approach toward all peoples, regardless of their religion or the region in which they live."[16] He spoke French and Italian fluently, but English was a significant challenge. His sojourn in London was at first motivated by the opportunity of seeking to recover debts owed to his family, but he did not return to Paris once that matter was resolved. Instead he sought to gain entry into British reformist circles. This decision to leave France for Britain represented the choice of politics over letters: the desire to effect change rather than to remain as a client or intermediary of European states.

Paris during the early 1820s was host to a cosmopolitan Arabic-speaking milieu.[17] In 1822, Joseph Agoub, an Arabist of Egyptian origin and one of the best-connected figures in this network, presented to a meeting of the Asiatic Society a short Arabic poem written by D'Ghies. The poem celebrated the birth of the Duc de Bordeaux, the "miracle child" of the Duchesse de Berry, born several months after her husband was assassinated in 1821. This tribute was certainly the right way to seek official patronage in Restoration France.[18] Despite his lack of official diplomatic credentials, D'Ghies was received by the king, Louis XVIII, and seemed well on his way to glittering success as an orientalist. His choice to leave Paris was therefore motivated by something other than the simple ambition to succeed in European intellectual society.

Unlike Agoub and other French Arab orientalists, D'Ghies was a practicing Muslim, and dressed in traditional Islamic clothing during his residence in Europe. He showed no hostility toward Christianity: on the contrary, a British missionary organization thanked him for agreeing to translate some of their Christian tracts into Arabic.[19] This tactical alliance with missionary Protestantism, rather like a poem in praise of the Catholic Bourbon monarchy, can be seen as part of the cultivation of a network of connections in France and Britain that were essential to his political activity. He made frequent use of his title, "sharif," which indicated descent from the family of the Prophet Muhammad, and his dress further emphasized his noble lineage and religious observance. Sir John Bowring captured the European view of D'Ghies as "a liberal, fine-hearted Moosulman, learned, and impatient to do good to his country."[20] In London,

16 National Archives, FO 76/33

17 Ian Coller, *Arab France: Islam and the Making of Modern Europe, 1798–1831* (Berkeley, CA, 2010)

18 Editorial report on the meeting of the Sociéte asiatique on 2 Sept., *Journal asiatique*, 1 (1822), 173–5, at 174. For the controversies around the birth see David Skuy, *Assassination, Politics, and Miracles: France and the Royalist Reaction of 1820* (Montreal, 2003).

19 Domestic news from the Christian Tract Society, *Monthly Repository of Theology and General Literature*, 18 (1823), 302.

20 John Bowring, *Autobiographical Recollections of Sir John Bowring* (London, 1877), 323.

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D'Ghies found a network of Muslims from Persia and India who shared his ideas for reform. In his first entry into the public conversation in Europe, however, he remained closely committed to an "African" reform rather than to any more general project in the Islamic world.

Not long after his arrival in Britain, D'Ghies published a pamphlet in the literary form of an open letter. The French original, entitled "Letter Addressed to an English Philanthropist by an African Traveller," was translated into English by a "Dr Kelly, mathematician." It was published privately, but excerpts were reprinted elsewhere in the press.[21] The pamphlet reveals a struggle, with limited success, to articulate a "different liberalism" at this key moment of global adjustment for North Africa: embracing the ideal of liberty but rejecting the abolitionist project, both because of its imperious neglect of African realities, and because of the practical consequences that this unilateral moral enforcement would necessarily entrain. At the same time, it demonstrates the difficulties D'Ghies found in escaping from the "civilizational" reasoning characteristic of international liberalism.

The pamphlet opened with the author's visit to the home of the British MP James Scarlett, Lord Abinger, a successful barrister and British Whig parliamentarian, born into a slave-holding family in Jamaica, but in later life a committed opponent of the slave trade:

I went to your house, in the hope of finding you there,—but your servant told me that you were gone to the *African Institution*; and as I had fortunately just received, by post, some tickets of admission to that Society, though not aware from whom they came, I availed myself of them in order to have the pleasure of meeting you there, and from a kind of interest that *every thing that bears the name of my country* naturally tends to excite.[22]

In the phrase highlighted here, D'Ghies made clear not simply his identification with Africa, but a challenge to the misappropriation of this term by a British abolitionist society. The term "Africa" had a long association with the northern coast, through the name of an ancient region of Ifriqiya from Tunis to Tripoli, and Roman "Africa" which was later extended to the whole continent: D'Ghies was certainly aware of this genealogy. His pamphlet set out to demonstrate the importance of this region—which he delineated as "Morocco, Algiers, Tunis, Tripoli and Egypt"—in any conception of the future of Africa as a whole. "The

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21 Anonymous reviewer, "Livres étrangers: Lettre adressée à un philantrope anglais, par un voyageur africain, durant son séjour à Londres; par M. Hassuna d'Ghiès," *Revue encyclopédique*, 15 (1822), 538–48.

22 Hassuna D'Ghies, *A Letter addressed to James Scarlett on the abolition of the slave trade Translated from the French, by Dr Kelly* (London, 1822). Copies of this pamphlet and the French original exist in the papers of Jeremy Bentham in the University College Archives, London. The emphasis is mine.

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Northern coasts," he insisted, "naturally gravitate towards the interior of Africa," and Africans like himself should be the principal interlocutors in the abolition of the slave trade across the continent. D'Ghies stressed that any such liberal approach must apply to "Africans of all colours": his own city of Tripoli, and those of Tunis and Algiers, certainly contained a large variety of inhabitants, both free and enslaved. It is less clear, however, what the agency of the "negroes" of the interior might be: they appear in the pamphlet only as abject victims, reduced even to "currency" used in the absence of coins. Although he deplored this state of affairs, D'Ghies provides no evidence that he was any more able to transcend the limits of civilizational hierarchy than were his British counterparts.

The pamphlet was ostensibly addressed not to the British public, but to James Scarlett, an abolitionist who had pleaded the cause of Caribbean slave-owners to be compensated for their losses due to abolition.[23] This spoke to the key argument of the pamphlet: that North Africans were also implicated in the slave trade, and that compensation in the form of commercial concessions would encourage them to embrace abolition. By the 1820s, whereas the ills of the Atlantic slave trade were widely publicized in England and throughout the liberal world, the trans-Saharan slave trade was rarely mentioned. Sir Sidney Smith, the British admiral, had launched a vocal crusade against the "white" slave trade of captives, whether from purchase or from piracy, into North African cities.[24] In contrast, the "black" trade from the Sudan across the Sahara hardly figured in the abolitionist consciousness. Slavery in Islam was not the chattel slavery of the cane and cotton fields of the Americas, but the caravan itself exacted a terrible human cost. Thousands of those sold into slavery died crossing the Sahara every year, and even those who survived were hardly assured of protection from abuses, regardless of the strictures of Islam.[25] Castration of young boys to create eunuchs was a particularly murderous practice: mortality rates could reach 90 per cent.[26] Islam did not prohibit slavery, although manumission of slaves was consistently recommended to Muslims as a good deed or a penance. Concubinage was a chief motive for slavery, but children born to Muslim fathers were considered free. Slaves were not considered in Islamic law as non-beings or simple possessions: owners might marry slaves, and high-ranking soldiers and officials could be

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23 Thomas Bunn, *An Essay on the Abolition of Slavery throughout the British Dominions: Without Injury to the Master or His Property, with the Least Possible Injury to the Slave, without Revolution, and without Loss to the Revenue* (Frome, 1833), 77.

24 See Gillian Weiss, *Captives and Corsairs: France and Slavery in the Early Modern Mediterranean* (Stanford, CA, 2011), 147–51.

25 John Wright, *The Trans-Saharan Slave Trade* (London, 2007).

26 W. G. Clarence-Smith, *Islam and the Abolition of Slavery* (Oxford, 2006), 47.

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recruited through purchase.[27] Yet it was hardly an enviable status, and in North Africa race played an undeniable role in its perpetuation.[28]

Nineteenth-century Muslims were as divided on the issue of slavery as other polities of the time, and religion could equally be used as a justification or a condemnation of slavery. The Tunisian ruler Ahmad Bey was the first Muslim leader to condemn, and then to outlaw, slavery in 1846, two years before the French finally restored the short-lived abolition of 1794. This action has been interpreted as an act of defiance of the Ottoman Porte, which preferred a "harm minimization" approach, and as the consequence of European "pressure or example," to cite the influential essay of Robert Brunschvig.[29] However, D'Ghies's pamphlet suggests that challenges to slavery in North Africa were not solely the work of ambitious rulers and European lobby groups. It suggests that a larger circle of North Africans were troubled by these questions, and sought ways to exit from slavery that would avoid drastic economic impact on African societies. Most significantly, D'Ghies mounted an explicit challenge to the "dictatorial tone" of the directors of the African Institution.

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This critique of Europe is an important dimension of non-European liberalism. Bayly has noted the keen awareness by Indian reformers not only of the progress of the Reform Bill in the British Parliament, but equally of the hypocrisy of British policy on Ireland. They drew upon their own traditions of thought, claims of racial or hygienic superiority (notably against the "dirty" habits of Europeans), and their own networks across the subcontinent and the Indian Ocean region.[30] D'Ghies, in his critique of the African Institution, made little overt reference to Arabic authors or Islamic traditions. However, in the English printed text, a number of words appear in Arabic script. This choice—which would almost certainly have increased the technical difficulty and cost of printing—can be read as an assertion of cultural specificity resisting the transparency of European knowledge. The expressions D'Ghies chose to include in Arabic are telling in this regard: in describing the grandiloquent opening discourse of the Duke of Gloucester, D'Ghies mocked his "flowers of rhetoric" using the Arabic term *balāgha* (eloquence), adding pointedly that naive listeners

27 Y. Hakan Erdem, *Slavery in the Ottoman Empire and Its Demise, 1800–1909* (London, 1996).

28 See Chouki El Hamel, *Black Morocco: A History of Slavery, Race, and Islam* (Cambridge, 2012).

29 Robert Brunschvig, "*Abd*," in *Encyclopaedia of Islam*, new edn, vol. 1 (Leiden, 1960), 32.

30 C. A. Bayly, *Recovering Liberties: Indian Thought in the Age of Liberalism and Empire* (Cambridge, 2011), 39.

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"but little accustomed to [the Duke's] artificial language, will believe that in three days at farthest, no traces of slavery in Africa will remain." In this way, he wittily turned European ideas about the florid nature of Arab rhetoric to his own account.

Arabic text recurs at various places throughout the pamphlet, in referring to "captives" (*sāby*), the idea of "necessity" (*ihtiyāj*) and the names of African countries such as Abyssynia (*al-Habāsha*). These linguistic indices do point to cultural specificities, such as the traditional distinction between "slave" (*'abd)* and "captive," the Islamic pragmatism which allows compromise on religious strictures in a situation of crisis, and a superior indigenous geographical knowledge of Africa. The fact that his European readers could not read these words reminded them, if only subtly, of the difference between indigenous knowledge and their own. They might equally serve to communicate with speakers of other languages employing Arabic script and Islamic concepts, an intellectual currency shared across the Islamicate cultural sphere. D'Ghies acknowledged sardonically the surprise that his European interlocutors were likely to evince on seeing such a treatise written by an African:

> I foresee, my Lords and Gentlemen, that you will accuse of temerity the attempt of a man, who, though neither born nor educated in Europe, presumes to give an idea of civilization and philanthropic acts, on a subject which is considered as very complicated, and the mysteries of which seem as if they were only to be unveiled to those who have been initiated therein from their infancy *(Words of De Lolme)*. But though born on another coast, and a stranger in a philosophical and humane country, yet I am no stranger to those things which establish or characterise the happiness of man.[31]

The example of De Lolme, a Swiss philosopher who extolled English constitutionalism and later moved to England to become an expert on the subject, offered both proof of D'Ghies's wide reading on constitutionalism, and a precedent for his participation as an outsider. But D'Ghies reminded his readers pointedly that, as an African, he possessed not only book-learning but "a real knowledge of my country."

In contrast, the pamphlet attacked the claims of an "African Institution" that excluded Africans themselves. It questioned the motivations behind this "society self-styled philanthropic, and which professes for its object the welfare of human nature": "For what have those gentlemen established the African Institution?" the pamphlet asked, "What is their object?" D'Ghies did not offer a direct answer, but the implicit response can be read in several ways. First, a key motive of this Protestant organization was the conversion of Africans to Christianity. Second, although D'Ghies did not mention it directly, the institution was also involved in the creation of a colony for the resettlement of freed slaves in Sierra Leone,

31 D'Ghies, *A Letter addressed to James Scarlett.*

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to help rid England of its black poor. Thus its motivations were a mix of moral crusade, proselytism and veiled racism. As D'Ghies predicted, the African Institution was ultimately a resounding failure.[32] Its missionary intentions for improvement in Africa were taken up by more commercially minded societies like the African Association, explicitly dedicated to gentlemanly exploration and "useful knowledge," above all to locate the legendary city of Timbuktu, to which Tripoli promised the key.[33]

D'Ghies's acquaintance with educated Indians like Mohammed Ismael Khan would certainly have made him aware of the creeping abrogation of sovereignty by the East India Company, and this may well have been another part of the implicit answer to D'Ghies's question. But in this period of the early 1820s, D'Ghies, like Indian liberals, still articulated a sincere commitment to the liberal principle of freedom:

> The greatest misfortune which can befall a man is, without contradiction, the loss of the first gift of heaven, personal liberty; consequently nothing is more noble, nothing more generous, than to contribute all that we can towards the abolition of slavery wherever it exists.[34]

Abolitionists, eager to demonstrate that even Africans supported their cause, jumped to cite this passage extracted from the larger argument.[35] This was a misreading of the pamphlet. D'Ghies presented a number of economic and social dangers that abolition of the slave trade posed for African states. He insisted that pushing slaves away from the western coasts, toward the north, could lead to serious consequences in North Africa, encouraging slave traders to "continue as much as ever the *cruel custom of killing* the superabundant individual, rather than *lower the price*."[36] Such inhumanity was already known among European slave traders, who were "obliged now and then to throw their unhappy victims overboard in hogsheads, at the unexpected approach of some English ship of war, in order that they might not themselves be subjected to punishment from the *new laws of humanity*." Thus, in the guise of improvement, Africans were threatened by new violence as a result of the outlawing of the trade in an uncontrolled manner.

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32 Wayne Ackerson, *The African Institution (1807–1827) and the Antislavery Movement in Great Britain* (Lewiston, NY, 2005), 217.

33 Philip Stern, "'Rescuing the Age from a Charge of Ignorance': Gentility, Knowledge, and the British Exploration of Africa in the Later Eighteenth Century," in Kathleen Wilson, ed., *A New Imperial History: Culture, Identity and Modernity in Britain and the Empire, 1660–1840* (Cambridge, 2004), 115–35.

34 D'Ghies, *A Letter addressed to James Scarlett.*

35 See, for example, an anonymous review of the article from the *Revue encyclopédique* in the abolitionist journal *Herald of Peace*, 1 (1822), 251.

36 Ibid., emphasis in original.

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D'Ghies was more than an observer of the slave trade: like his interlocutor Scarlett, he was a member of a slave-owning family. However, his father Mohamed D'Ghies was singled out in British accounts for freeing two of his women slaves without compensation: when they informed him that a third sister had been brought with them, he searched Tripoli for her, purchased her freedom, and sent all three home.[37] There was no suggestion, however, that the family had renounced keeping slaves altogether. In his early years in France, D'Ghies was reported to be trading in perfume and shawls,[38] but his fortune is likely to have been at least in some part linked to the lucrative trade in slaves. The debts he ran up in Europe made any renunciation of such links even more difficult.

D'Ghies's predicament was analogous to that of North African societies, seeking legitimate trade and more secure international status to offset the loss of corsair activities, yet racking up debt in the process, and finally pushed back upon the slave trade to raise the money. In the context of this "crisis of adaptation" affecting so much of Africa, D'Ghies insisted that the enforcement of a British moral imperative on a global scale presented a threat to the sovereignty of other societies. Compensation of property rights was one of the international legal norms surrounding that sovereignty: "And how can you gain their confidence, unless you respect the *rights of nations*, and point out to them, in some other direction, the advantages of compensation, when they themselves shall be ready to renounce that branch of commerce?"[39] While attracted by the universalism of the ideas at the heart of the liberal project, D'Ghies vocally opposed their implementation on the basis of unequal relationships between European nations and African polities. Bowring noted of D'Ghies, "He had been reading Vattel and Bentham (in his translator's "Traits de Legislation"), and I found the pages covered with Arabic notes."[40] His unpublished translation of Vattel's *Droit des gens* into Arabic would later be used by his Algerian counterparts to draw up their protests against French imperialism.

However, the issue of "rights" appears only incidentally in this early pamphlet: D'Ghies made his larger argument on the more classically liberal basis of rational interest and commercial benefit. Freedom of commerce would serve as compensation to Africans for the economic impact of abolishing the slave trade. But underlying this call was the insistence that this liberal freedom should be governed by international law, and not be left to regulate itself to the benefit of the strongest. As Philip Curtin has observed, where the legal argument worked

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37 Dixon Denham and Hugh Clapperton, *Narrative of Travels and Discoveries in Northern and Central Africa, in . . . 1822, 1823 and 1824* (London, 1826), 44.

38 *London Literary Gazette* (1829), 632.

39 D'Ghies, *A Letter addressed to James Scarlett*, original emphasis.

40 Bowring, *Autobiographical Recollections*, 323.

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strongly in favour of African polities, the abolitionists' "moral" argument pushed Africans into a weak and dependent position.[41]

The answer, for D'Ghies, was the newly "liberal" role to be played in this process by North Africa's development alongside that of Europe. The first step was to correct erroneous European views about this region, and particularly about the political nature of North African societies:

> You should . . . begin by improving, in the first place, the condition of the Northern coasts, in order to ameliorate successively the state of the interior . . . And as along these coasts, the government is very far from being every thing in the balance of power, and the individuals nothing at all, (though it is thought otherwise here in Europe, notwithstanding the efforts of the citizen of the universe, the immortal author of *L'Esprit des Lois* (Amsterdam edition, vol. i) to undeceive them); and as such affairs should be rather directed by public opinion, which in all countries tends to model itself, according to that of those men who have the greatest renown and influence, and who thereby enjoy the almost blind confidence of the inferior classes; it is the aid of such men that must form the first step towards the proposed object.[42]

D'Ghies was arguing here for the possibility of an African civil society, and invoking Montesquieu as a cosmopolitan figure in order to do so. Just as the leading individuals in Europe shaped public opinion, so too North Africa would play the role of "civilizer" while the rest of Africa followed like the "inferior classes" in Europe. But the logic here was primarily geographical—because of their position closer to Europe, the North African states would take the role of enlightened intermediary, and make abolition possible through their own commercial transition. He certainly acknowledged the deficiencies of government and society in North Africa, even as he rejected European liberals' assumptions that Islamic societies were despotic in nature. But in arguing for the need to use North Africa as a "civilizing" intermediary to accomplish the abolition of the slave trade, D'Ghies was weakening the argument of sovereignty and national rights that he would raise a moment later. He attempted to resist the "humanitarian" discourse that threatened to abrogate the rights of nations, but in doing so he adopted a "civilizing" language that could equally serve as a banner for imperial intervention, whether European or African. D'Ghies betrayed some discomfort with what he called this "circle of reasoning", as he abruptly broke off the argument with a *reductio ad absurdum*.

On what basis could sovereign rights be attributed? D'Ghies fell back upon a characteristically liberal strategy of promoting "objective" scientific and

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41 Philip D. Curtin, *The Image of Africa: British Ideas and Action, 1780–1850* (Madison, WI, 1964), 290.

42 D'Ghies, *A Letter addressed to James Scarlett.*

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geographical advancement as the true source of progress and improvement. He recommended

> studying every where means compatible with the state of the country, the topographical situation of the present towns, mountains, courses of rivers, lakes, boundaries of deserts, minerals, natural produce of the soil, objects for import and export, government, justice and manners, that lead to consequences, the remains of science and literature, (for all has not perished in a country which was formerly in its turn, the cradle of civilization to many other countries,) &c. &c. Above all, you must know how to separate what is reported by guides, ignorant and full of prejudices, from that which is the true state of things.[43]

D'Ghies distinguished this universal knowledge sharply from the misinformation gained from "ignorant" guides by Europeans unable to speak local languages themselves. Yet finally at the end of his pamphlet D'Ghies took a further step in questioning the very foundation of European knowledge as a mask for cultural prejudices:

> It is not then in ridiculing the customs of the country,—it is not in openly shunning its manners, and its languages, that you can conquer the hearts, and then the minds of the inhabitants; neither is it in filling volumes with frivolous anecdotes and tales; it is by studying circumstances, —it is by respecting the ruling prejudices, even though unreasonable,—it is by preparing innovations at a distance, so that they may no longer appear innovations. (*Bentham, Paris edition*, 1820).[44]

This is perhaps the most eloquent passage in the pamphlet, and it is important in characterizing the distinctiveness of this "African liberalism" among global liberal responses. Here D'Ghies recognized implicitly that European "ways of knowing" could have consequences in terms of the exercise of power over Africa. While he seemed to call for a more transparent knowledge based on universal reason, he also asserted a role for the "ruling prejudices": the real and existing beliefs and wishes of Africans themselves, even where these were in apparent conflict with rationalism. A pragmatic constitutionalism, then, would work with, not against, the realities of African societies.

The statement also suggested a more specific problem posed by reform in his own society. The Islamic prohibition of innovation in religion (*bid'a*) was frequently applied analogously to social changes.[45] In the accretion of Muslim law and culture over more than a millennium, certain customs had taken on powerful religious associations that proved difficult to shift. Thus to introduce "innovation" in delicate questions like dress, treatment of religious minorities,

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43 Ibid.

44 Ibid.

45 See Mehran Kamrava, *Innovation in Islam: Traditions and Contributions* (Berkeley, CA, 2011).

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the position of women, or slavery, could be inflammatory. The Islamic civilization that gave North Africa its force and structure as an indigenous civilizing influence could thus also act as an insurmountable obstacle to social reform.

What emerged finally from the pamphlet, then, was the inadequacy of European ideas for the reform of African societies. The conduct of the African Institution seemed to inspire D'Ghies with a distaste for this moral universalism, and push him back toward his own cultural and political traditions. The answer might be to realize this "innovation at a distance" in practical terms, by working to build a ready-made African constitution to be implemented when the time was right. In his parenthetical reference, D'Ghies drew a parallel with the constitutional projects of the British liberal philosopher Jeremy Bentham. This reference helped to secure him a meeting with Bentham, who proved a very enthusiastic listener, and ultimately collaborator in this emerging African constitutional project.

"SECURITIES AGAINST MISRULE": AN ISLAMIC CONSTITUTIONALIST PROJECT

Among British reformist thinkers, one figure stood out as the most fearsome critic of everything that appeared to base its existence upon superstition, tradition or the fear of change. Jeremy Bentham's mummified body at University College London is a startling reminder of the unconventionality of the man, as well as of his imposing size and extraordinary intellect. Bentham's utilitarian philosophy looked to the rational calculations of happiness "for the greatest number" as the prime determinant in social structures. There was nothing in this doctrine to prevent non-Europeans from taking their place in this net accounting of happiness, and it appeared to be an eminently translatable "package" that could be adapted from one society to another. "I need scarce observe," he remarked in a letter to Simon Bolivar, "how truly natural allies Greece and Haiti are of Colombia."[46] Indeed, Bentham attracted a circle of admirers from all parts of the globe: liberals from France, Spain, Italy, Latin America and India. These men (and some women) were part of Bentham's "international" project—a word he is credited as having invented.

Only a few months after the publication of his pamphlet, D'Ghies was introduced into Bentham's circle. With extraordinary rapidity their friendship blossomed into a relationship of master and disciple, and they spoke of one another in terms of familial affection. Bentham wrote,

46 Jeremy Bentham, *Correspondence*, 12 vols. (Oxford, 1968–2006), 11: 258.

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D'Ghies is a very extraordinary young man: two words will suffice to shew you to what a degree he is so: he is a disciple and an adopted son of mine ... his desire of contributing to the improvement of the state of society in his own country is ardent and indefatigable.[47]

D'Ghies himself wrote in equivalent terms of his mentor, but characteristically added an Arabic poem to elucidate exactly how he conceived the transfer of ideas—not as a simple exercise of reason, but rather as an act of love passing "the sacred flame of philanthropy" from one heart to another.[48] Bentham seemed content to accept this lyrical adulation, assuming the role of father while noting with respect the younger man's deep attachment to his actual father, Mohammed D'Ghies. Bentham suggested readings for his protégé, including his own codification of laws, and James Mill's article on "Government." In return, he asked D'Ghies for a map of the northern region of Africa, and his "dear son" sent him two copies of the pamphlet on slavery, in which, D'Ghies noted, "I made use of several of [Bentham's] principles."[49]

In Bentham's philosophy, moral and religious differences counted for little: he was not hostile to religion like Voltaire, nor did he conceive of a "civic religion" in the manner of Rousseau. Instead, individuals were free to believe as they chose while leaving their fellows undisturbed, and contributing to the net sum of happiness and prosperity. His philosophy was consequently highly attractive not only to Christian Europeans, but to Muslims and Hindus—indeed, lacking the doctrine of spiritual poverty and the mortification of the flesh, they might find the ideas of utilitarianism more attractive than did Catholics. Bentham drew upon D'Ghies's Islamic training, and asked him to read and comment upon a work on Islamic law that he was using: D'Ghies responded that it was a "gallimatias" and "nothing but an attempt to ridicule the Mahometan faith" and undertook to provide Bentham with his own more accurate account.[50]

To Bentham's great delight, D'Ghies introduced his mentor to a number of other Muslims, including the Persian ambassador, the son of the shah. Together, they sought to recommend French books and connections for the young Persian in view of his imminent journey to Paris, and Bentham wrote to the Marquis d'Argenson asking who might join D'Ghies in "so pious a work" of educating this young scion of Persian royalty: "might not La Fayette? Might not Grégoire? Might Benjamin Constant?" He mentioned also La Fayette's companion, the Scottish writer "Miss [Fanny] Wright," although raising doubts as to the wisdom of introducing women to such a handsome and hot-blooded young man.[51]

47 Ibid., 181.
48 Ibid., 123.
49 Ibid., 124.
50 Ibid., 169.
51 Ibid., 183.

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In this sense, D'Ghies served as an active connection between Bentham and the Muslim world, particularly the numerous visitors from Persia, North Africa and the Middle East passing through Paris and London. In addition to Mirzim Mohammed Khan, D'Ghies introduced Bentham to a Muslim notable from Algiers, Hamdan ben Othman Khodja, whom Bentham described as "another Mahometan disciple . . . who appears a very honest and well-disposed man, and . . . in high trust with his sovereign, the Dey of Algiers," and also to a young pro-Muslim Scotsman, David Urquhart, who would later play a key role in British policy toward the Ottoman Empire. Bentham in turn introduced these people into other circles of constitutionalist liberals, many of them in the process of attempting to draw up legislative documents for new states.

The aim of these meetings was not purely sociable. Bentham's correspondence reveals something of D'Ghies's own view of this project through an Arabic message to his close friend Mirzim Mohammed Khan. He described Bentham as *kabir jama'a al-hurriya fy londra*, "the leader of the Freedom Group in London," and promised that the young Persian would be assisted by the "Freedom Group" in Paris also.[52] Bentham, in contrast, was less interested in such a "freedom group," and more in creating an international network that might propagate his ideas in all directions, particularly by bringing young Muslim boys to England for their education, along with others from Haiti, Colombia or Greece.[53]

The two men, however, agreed upon a common project to create a constitution for Tripoli. D'Ghies worked with his mentor on this project for many months, and it would later be published in Bentham's works under the title *Securities against Misrule*. In terms of liberal constitutional thought, this is surely the most developed piece of work in the Muslim world during the first half of the nineteenth century, and is comparable to the efforts of Indian and Italian constitutionalists, although it was never put into effect. Bentham spent many hours questioning D'Ghies on every detail, and took copious notes on the topography, population and culture of Tripoli. It is evident from the text that D'Ghies sought to translate Bentham's constitutional ideas into a language consonant with the Qur'an:

> It is in reflecting upon these true principles, and upon these divine words, O Sovereigns! that you are nothing but shepherds, that the peoples are your flocks, and that each among you must be responsible before heaven, while each that fulfils it shall receive an eternal reward.[54]

In the early stages, the project seemed to be bounding along. But doubts soon arose as to whether the intentions of the two men were really as compatible as

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52 Ibid., 194.

53 Ibid., 222.

54 Bentham and Schofield, *Securities against Misrule*, 77.

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they seemed. Bentham's avowed ambition was to provide a universal code, "for the use of all nations and all governments professing Liberal opinions." D'Ghies was primarily concerned with the political and social consequences for his city and his people, and for the region in general. Bentham's Africa was a testing ground for human universality, while for D'Ghies England was the laboratory in which a successful project should be created in the light of African realities.

The tipping point seemed to come after D'Ghies received the afflicting news of the death of his father. This only added to the instability of the situation in Tripoli, under constant threat of a violent bloodbath. D'Ghies began to investigate increasingly desperate ways in which the regime could be replaced by force of arms. In this crisis, it seems, D'Ghies felt that Bentham's constitutional ideas could be postponed until the reconstruction of the state, once this necessary revolution had been accomplished. As he wrote to Bentham on 5 April 1823, "as for the code, it seems to me that we had decided it could wait until after my return."[55] Despite assisting D'Ghies in these plans at an early stage, Bentham evinced little enthusiasm for involvement in a real *coup d'état*. He busied himself writing grandiose speeches to be given by the pasha of Tripoli in the Grande Mosquée.

D'Ghies, probably aware that the pasha would never agree to sign a charter providing constitutional protections against his abuse of power, spent his time looking to the practicalities of setting in motion an armed insurrection. He formed a connection with Colonel Robert Torrens, whom he met through Bentham, and drew up a plan to assemble a thousand men on Malta for the invasion of Tripoli.[56] This force was to be supported by rebellious groups within the territory. D'Ghies wrote in his own hand, in Arabic and in French translation, an address to the people of the mountains whom he hoped to engage in his uprising against the pasha. He exhorted them to "frame a government under the true precepts of the holy Koran, following the maxims of our noble prophet."[57] It is difficult in these papers to draw a clear line between D'Ghies's ideas and Bentham's, since the latter so often reshaped the raw material to fit his own interests. However, what emerges in a general sense is D'Ghies's willingness to engage in a revolutionary uprising to put an end to the reigning system. After studying these papers, L. J. Hume suggested that this project was doomed to failure from the outset, even had it achieved external backing, because the unrest in tribal areas near Tripoli was a consequence of centralizing reforms, not of the "abuse of power" by the Qaramanli family. The establishment of a modern state would do nothing to mollify this resistance. However, Hume offers no real

55 Quoted in Bentham, *Correspondence*, 11: 228.

56 Bentham and Schofield, *Securities against Misrule*, xxx.

57 Ibid., 164–5.

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evidence for this inveterate hostility to the modern state that he attributes to the peoples of the interior. A more concrete opposition came from the British consul, who objected powerfully to D'Ghies's attempts as foreign minister of Tripoli to reduce the extraterritorial privileges of European states that undermined Tripoli's sovereignty.[58]

There is no way of knowing the prospects for success of such an enterprise. What is clear, however, is that D'Ghies considered this project not simply within the local frame of Tripoli, or its Libyan hinterland, but as a more general movement across North Africa, and into the interior—an "African" project for constitutional change. Bowring emphasized D'Ghies's belief that, once adopted in Tripoli, his project for a "more liberal system" would "spread to Tunis, and so fly along the coast."[59] As Bentham later revealed, D'Ghies had contacts not only in Algiers, but also in Egypt and Istanbul.

Bentham's enthusiasm for an armed intervention cooled rapidly: such revolutionary activity probably made him nervous, given his primary interest in codes, constitutions and enlightened exploration. He cast doubt on the idea that any European power would support this activity, and directed D'Ghies's energies instead towards seeking the aegis of the United States. The earliest American military engagements had been conducted on the shores of Tripoli during the Barbary War of 1801–5. D'Ghies set out to write to the US president, John Quincy Adams, with a covering letter from Bentham, addressing the causes and remedies for the "constant plague" of piracy against the emergent United States, and requesting American support for a "Revolution" to take place in Tripoli, as the beginning of a larger transformation in North Africa.[60] D'Ghies wrote his own address to Adams, which seems to have been heavily edited and amended by Bentham. In the event, neither of these letters was sent to Adams: indeed, they contained so many indiscreet details about D'Ghies's plan that we may easily suppose that Bentham never had any intention of sending them.

Indeed, Bentham had strayed far from the motives that had first interested him in D'Ghies and in Tripoli, motives that were not so unconventional as they might seem. Before becoming intrigued by the project of a North African "laboratory" for his constitutional ideas, he had been chiefly interested, like so many other Europeans of his time, in the fashionable question of locating "Timbuktu" that would embroil D'Ghies in so many difficulties. Among the papers remaining from Bentham's discussions with D'Ghies is a handbook entitled "Travellers for Tripoli" which set out plans and advice for a mission similar to that undertaken

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58 L. J. Hume, "Preparations for Civil War in Tripoli in the 1820s: Ali Karamanli, Hassuna D'Ghies and Jeremy Bentham," *Journal of African History*, 21/3 (1980), 311–22, at 322.

59 Ibid.

60 Bentham and Schofield, *Securities against Misrule*, xxxvi.

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by Laing in 1826.[61] D'Ghies expressed his discomfort with this European desire for "penetration into the north of Africa," and particularly the foolhardiness of explorers travelling without the protection of a caravan. Thus, while Bentham was primarily interested in Tripoli as a constitutional laboratory and a route to the interior of Africa, D'Ghies was concerned to find ways to establish a new regime in North Africa under the legitimacy of Islam.

In April 1823 D'Ghies returned to Tripoli without any real support for constitutional change, but saddled with a large number of debts he had run up in London. Bentham was disappointed to find that his subsequent enquiries after D'Ghies were fruitless. According to Bentham, "He and I had formed a plan of improvement in useful knowledge and government in his country. I expended, and as it has turned out wasted, upon that endeavour more months than I can now think of without severe regret."[62] Bentham clearly failed to understand the deep emotional investment that D'Ghies had made in this constitutional project, and in the new African society he hoped for. In the end, the philosopher simply rehashed his version of the Tripolitan constitution for use by Greeks: a more appropriately European constituency for the wholesale implantation of a constitutional project increasingly inflected by a "civilizational" one. D'Ghies, meanwhile, returned to Tripoli, where he accepted the position of foreign minister in the very government he had sought to overthrow.

TIMBUKTU, ALGIERS AND THE IMPERIAL FATE OF AFRICAN LIBERALISM

D'Ghies's project for African constitutionalism came unstuck in Timbuktu. An *idée fixe* of the 1820s, the city of Timbuktu was metonymic for an emerging conception of Africa as a vast blank space that could be "known" only by heroic penetration to the interior, not by engaging with coastal elites. The pasha of Tripoli facilitated such expeditions for large amounts of cash, which helped him to shore up his faltering regime. The British consul, Warrington, insisted that this would assist in the abolition of the slave trade.[63] As D'Ghies had suspected, the moral currency of abolition was easily turned to imperial account. Warrington's "proconsular despotism"—the procurement of immense personal influence over debt-ridden potentates, in the shadow of British warships—was tolerated by the British government, despite the absence of any official imperial designs on the region. The arrival of a new French consul, an avid and ambitious orientalist

61 Hume, "Preparations for Civil War in Tripoli in the 1820s," 316.

62 Bentham and Schofield, *Securities against Misrule*, xxxv.

63 Dane Kennedy, *The Last Blank Spaces: Exploring Africa and Australia* (Cambridge, MA, 2013), 115–16.

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named Rousseau, exacerbated tensions in Tripoli. With an established Swedish colleague, and almost certainly with the assistance of D'Ghies, a monthly journal called the *Investigateur africain* was established: the first press publication in Tripoli, and one of the first in North Africa.[64]

In 1826, the British explorer Alexander Gordon Laing managed to reach Timbuktu, but was killed on his return journey. Warrington, whose daughter had married Laing just before his departure, accused Hassuna D'Ghies of stealing Laing's papers, and even of having a hand in his murder. Mahomet D'Ghies, Hassuna's brother, was compelled under duress to confess to complicity. The scandal that ensued embroiled three governments, along with journalists, diplomats, merchants and ministers, and is even retailed with prurient fascination today.[65] D'Ghies and his brother were forced to flee for refuge to the French and American embassies respectively. A later French commission of enquiry found that they had taken no part in any of these dealings. But the accusations found leverage in the British press and in the government, in this context of shifting global politics. An article in the *Quarterly Review* revealed the new colours of racial and religious vilification that would become commonplace during the century that followed:

> A Mussulman Arab is not very scrupulous in employing [the means of mischief], sometimes on the slightest occasions. Treacherous and vindictive, he is wholly regardless of truth and justice, and even of human life, when stimulated by interest or a thirst for vengeance. An Arab of this race (who boasts his descent from the Prophet) will talk of the murders he has committed with the greatest coolness and familiarity.[66]

His life and liberty in danger, D'Ghies fled to Paris, and then returned to London seeking to clear his name. He appealed to his liberal credentials and connections, the rhetoric of social improvement and civilization, and Britain's international reputation.[67] The result was little more than a bureaucratic shaking of heads. The affair of Major Laing—rather like those eighteenth-century scandals of empire analysed by Nicholas Dirks—revealed the unspoken acceptance of a

64 María José Vilar, "El nacimiento de la prensa en libia: 'L'Investigateur africain' de Trípoli, 1827," *Africa: Rivista trimestrale di studi e documentazione dell'istituto italiano per l'africa e l'oriente*, 59 (2004), 221–30.

65 Frank T. Kryza, *The Race for Timbuktu: In Search of Africa's City of Gold* (New York, 2011). For a somewhat less sensational version see Robin Maugham, *The Slaves of Timbuktu* (London, 1961).

66 Editorial review of René Caillié, *Journal d'un Voyage à Temboctoo et à Jenné dans l'Afrique central, Quarterly Review*, 42 (1830), 450–75, at 471.

67 For a fuller account see Abdeljelil Temimi, *Recherches et documents d'histoire maghrébine: L'Algérie, la Tunisie et la Tripolitaine, 1816–1871* (Tunis, 1980).

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new imperial pragmatism.[68] Although Tripoli was never in any formal sense a British colony, de facto imperial relations emerged through this acceptance of non-reciprocal diplomatic privileges, the use of financial threats and ultimately military power by the consul to assert British predominance. These actions were neither ordained nor expressly sanctioned by the British government, but, when challenged, they proved very difficult to shift. D'Ghies pleaded in vain to have his case examined, providing vast amounts of information to prove his innocence, to no avail. While the government took no action against him, nor did it rebuke the consul's naked assertion of hegemony in Tripoli. This affair, then, foreshadowed the complex of debt, scandal and local intrigue that would mark European expansion in Africa throughout the century that followed.

It is striking that in his petitions in response to these accusations, D'Ghies spoke directly about Islam for the first time. "Charity and philanthropy," he insisted, "are maxims of our religion." He defended his religion as equal, if not superior, to European pretensions:

> It is not true as the Reviewer asserts that Mussulman Arabs as a Nation are cruel and vindictive. There are doubtless such characters—some Christians likewise are neither charitable, just nor honest. The Mussulman religion enjoins candour, charity and truth and I have always practised them. The religion of the Consul and the Reviewer, either does not contain precepts on these subjects, or they do not observe them.[69]

These remarks suggest the shift taking place in D'Ghies's thought in response to the rising imperial threat from Europe: rather than defining himself as an African, he increasingly emphasized his identity as a Muslim and an Arab. The Laing affair was a turning point—for D'Ghies at least—in that it exposed the emerging alliance between the arbitrary and corrupt regimes that European liberals loudly deplored and the "civilized" imperial solutions they tacitly accepted.

This shift became even more marked with the events of 1830, which altered North African history forever. In 1827, long-standing debts incurred by France toward Algiers during the Revolutionary and Napoleonic periods were effectively declared null by the Bourbon monarchy, provoking the dey to strike the French consul with his fly-whisk. This famous *coup d'éventail* served as the provocation for a blockade of Algiers, and ultimately for the invasion of June 1830. But the Revolution of July that followed shortly after, bringing in a new, and ostensibly "liberal," regime in Paris, raised fundamental questions about the conquest, and about Algeria's transition to a permanent colony, as a self-serving lobby of merchants and military personnel was advocating.

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68 Nicholas B. Dirks, *The Scandal of Empire: India and the Creation of Imperial Britain* (Cambridge, MA, 2006).

69 National Archives, London, FO 76/33

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The principal Algerian opponent of French colonization was D'Ghies's long-time associate, Hamdan ben Othman Khodja, who had also mixed with Bentham's circle, and had supported D'Ghies's constitutional project for North Africa.[70] Indeed, it was now D'Ghies who lent his assistance to the Algerians, bringing his literacy in European languages to support Hamdan's arguments. Hamdan spoke French and English fluently, but could neither read nor write in those languages. D'Ghies brought his knowledge of international law to bear on the question. As Hamdan Khodja wrote,

> I am astonished that the commanders of the French Army are so ignorant of the existence of the laws of war and peace that rule the civilized world . . . As for me, I do not read French, but I am fully apprised through the faithful translation into Arabic by the Sherif Hassuna D'Ghiez [*sic*] of Vattel's *Droit des Gens*, and I think I may cite here the dispositions contained in paragraph 263, Book 3 . . . Can anyone deny these principles? Are Africans excluded from human society? Can liberty properly understood approve the morality of this illustrious general [Clauzel]? No. From any other ordinary person one might perhaps excuse such a manner of reasoning, but in a leader representing the French Nation, such language is unpardonable.[71]

Thus, like D'Ghies, Hamdan Khodja expressed his demand for rights in "African" terms, suggesting that it was as Africans that his compatriots were excluded from European universal principles of justice and equality.

In 1833, the July Monarchy finally agreed to call a commission of enquiry into the invasion of Algeria—significantly named the "Commission *d'Afrique*" rather than employing a term related to Algiers or North Africa. Hamdan Khodja and D'Ghies retained some belief that Europeans would fight for the liberal values that they so loudly proclaimed. Hamdan published his protest against the French occupation in 1833 under the title *Aperçu historique et statistique sur la Régence d'Alger*. D'Ghies was cited on its title page as the translator, "H . . . D . . . Oriental." In fact, D'Ghies's collaboration may have been greater. As the preface of the book protested, while Greece and Belgium had regained their independence, an African people was being deprived of sovereignty:

> I see all free peoples interested in the Poles and the re-establishment of their nationality, and I see the English government immortalize their glory through the emancipation of the negroes, and the British parliament sacrifice half a billion pounds to favour this emancipation, and when my eyes return to the lands of Algiers, I see her unfortunate

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70 See Abdel-Kader Djeghloul, Introduction to Hamdan Khodja, *Le Miroir, aperçu historique et statistique sur le régence d'Alger* (Paris, 1985), 9–32; Jennifer Pitts, "Liberalism and Empire in a Nineteenth-Century Algerian Mirror" *Modern Intellectual History*, 6/2 (2009), 287–313.

71 Hamdan Khodja, "Mémoire remis par Sidi Hamdan à la Commission d'Afrique de 1833," reprinted in Michel Habart, *Histoire d'un parjure* (Paris, 1960), 229–30.

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inhabitants placed under a yoke of arbitrary power, extermination and all the plagues of war, and all these horrors committed in the name of free France.[72]

These references to abolition, to the European struggles for independence and to universal liberal values recall very closely D'Ghies's intellectual trajectory. But liberal ideas are used here to criticize European hypocrisy, rather than taking Europe as a model. The close of the preface returns to an argument around the plurality of civilizations close to that articulated in D'Ghies's pamphlet on slavery:

Does not each individual people believe that it possesses the best customs and the best laws? ... Civilization does not consist in the way of sitting on a chair or a sofa, or dressing in a particular manner ... This is certainly not the civilization that anyone could intend to introduce in Africa. For Orientals, civilization means to follow universal morality, to be just to the weak as well as to the strong, to contribute to the happiness of humanity which forms one great family.[73]

Hassuna D'Ghies was ostensibly the translator of the text, but there is no evidence that an Arabic original ever existed. The use of his initials only, and a rather inaccurate appellation of "Oriental," suggest some need to disguise his identity. Given the precarious position of Tripoli in 1832–3, and the involvement of members of the D'Ghies family in the regime, it may be that to be closely associated with such a critique of the situation in Algiers would have been highly compromising. In fact, D'Ghies maintained close links not only with Hamdan Khodja and the other Algerian notables known as the "Comité Maure" in Paris, but also with the dey himself, who spent several months in Paris.

While *Le miroir* charted the undeniable barbarity of the French conquest of Algiers, it did not call for an immediate departure of the French. Instead, it called for a more truly liberal French tutelage over an emerging independent Algerian nation, based on constitutional arrangements, in order to oversee its transition from the Ottoman system. The book also provided extended geographical and ethnographic descriptions of the various parts of the country and their inhabitants, conforming closely to D'Ghies's insistence in his pamphlet of 1822 on attention to the climate, topography and population as methods for developing good governance in North Africa.

If these "African liberals" believed that entering into the scientific rationality of Europeans, and offering arguments built on careful observation, would persuade an ostensibly liberal regime in France to support Algerian independence, they were mistaken. Despite acknowledging the truth of Hamdan's allegations of atrocity and massacre committed by the French, despite the cost in blood and

72 Hamdan Khodja, *Le miroir*, 38.

73 Ibid., 40.

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gold of an extension of the conquest, the Commission d'Afrique concluded that the abandonment of this colony was unthinkable. North African hopes that Britain would intervene on their behalf were likewise disappointed. The age of imperial partition in Africa had begun.

In Tripoli, a fully fledged civil war finally broke out in 1832, leading D'Ghies to return to Europe, where he sought French and British support to try to avert the crisis and stabilize the regime, by handing power to Pacha Yusuf's son Ali (D'Ghies's own brother-in-law). But nothing at all came of these contacts. Tripoli was simply not sufficiently important in imperial strategy to warrant an intervention at this moment. Warrington was left to continue his proconsular interference, supporting the rival candidate to power. In this sense, inaction could also constitute a tool of a new imperial governance.

Finally, it was the Ottoman Empire that would end this civil war. In 1826, Sultan Mahmud II had eliminated the Janissary corps, the chief body of conservative reaction in the Ottoman Empire, and continued the reforms of his deposed cousin, Selim III, by modernizing the army, and introducing compulsory new forms of dress. As some French intellectuals of the time remarked, the regime of Mahmud II in Istanbul seemed to be moving toward reform as the July Monarchy, the leading European "liberal" regime, moved toward imperialism and internal repression. But this "reform" was a technocratic and authoritarian model, imposed by force. The liberal constituency it built was one dependent on the state, and governed through confessional communities known as *millets* that fragmented the middle class. In 1835, an Ottoman fleet established a new pasha in Tripoli, reinstating the government of the Sublime Porte in a province that had remained autonomous for more than a century. It is difficult to determine what role D'Ghies played in this, but he was appointed shortly afterward the editor of the *Moniteur Ottoman* in Istanbul. In the face of European liberal imperialism, it seems, D'Ghies chose an imperial liberalism.

CONCLUSION: AFRICA AND THE LIBERAL MOMENT

The "liberal moment" of the 1820s ultimately revealed itself as a pivot to empire. This does not in itself negate the aspirations that it evoked. It should not be understood as a "great step forward" in the march toward an international liberal settlement; nor yet should it be read as pure deception, a political mask for the turn to empire. Hassuna D'Ghies searched for a liberalism that could find root in his own society and traditions. He went far beyond his contemporaries in Africa in his quest to draw from his contacts in European liberal circles the materials to effect change in his own society. There is considerable evidence of sincerity in his enthusiasm for liberal ideas during the early 1820s, when he found a relatively open entrée into liberal circles. In retrospect, such confidence might

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seem naive, yet it was articulated from the outset with reservations. Against the moral absolutism of British abolitionists, D'Ghies boldly asserted the resistance of "prejudices": the cultural and religious distinctiveness of Africans. It was upon these particularities, rather than simply through universal principles, that he sought to build a constitutional project.

What was "African" about D'Ghies's liberal project? It was not continental or pan-African: there is little evidence of any real connections beyond the Sahara. Yet D'Ghies's project was never constrained by the walls of Tripoli, within the larger territory of Libya, or even among its neighbouring powers. In his earliest publication, D'Ghies insisted upon the interconnectedness of the economies of the north with the slave trade in West Africa and beyond. His project of economic development looked to promote trade from the interior of Africa to the Mediterranean and Europe. Nonetheless, this was a very particular and limited "Africa," a Roman and Islamic Africa, with its own Arabo-Muslim conception of "civilization" that contributed to legitimating the enslavement or submission of the peoples of the interior. It confronted a competing version of "Africa" emerging in Europe during the first quarter of the nineteenth century, an Africa imagined from the uncharted spaces within, rather than from its coastal connections to the Mediterranean, Atlantic and Indian Ocean worlds.

If D'Ghies's trajectory demonstrates that Africa was not absent from the global moment of constitutional liberalism in the 1820s, it also shows that an African liberalism in the age of empire was torn between universal principles, the rights of nations, the welfare of "Africans of all colours," and the values and traditions of Islam. D'Ghies's connections to the ruling structures of power gave him a platform for his ideas, but weakened his ability to build a wider liberal constituency, or develop a popular movement that would give his ideas legitimacy and the force to change the existing system. This in itself demonstrates the centrifugal forces at work in an Africa that was being carved up by imperial projects long before the "Scramble" of the late nineteenth century. Unlike the long Indian liberal tradition after Rammohan Roy, North African liberalism broke into different and often contradictory camps: some liberals joined religious movements, others engaged in proto-nationalist struggles, and others again found a place in imperial systems. But African liberals did not disappear, and this genealogy of African constitutionalist thought in the nineteenth century, obscured by the legacy of empire, remains to be reconnected.

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