



## *Islamic Slavery and Colonial Atlantic Slavery: A Comparative Historical, Legal, and Rational Analysis*

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### Abstract

This research paper compares Islamic slavery and colonial Atlantic slavery through historical, legal, theological, and rational analysis. The paper does not evaluate Islam according to modern secular human-rights theory as the final moral authority. Instead, it examines the subject through the Islamic worldview, rational moral inquiry, legal accountability, and the principles of justice established by revelation. The central argument is that Islamic slavery and colonial Atlantic slavery were not equivalent systems. Colonial Atlantic slavery developed into a racialized, hereditary, commercial chattel system in which enslaved Africans were legally treated as property and exploited for plantation production. Islamic slavery, by contrast, existed within a world where slavery was already a widespread institution; Islam restricted its sources, condemned the enslavement of free persons, gave enslaved people enforceable rights, encouraged manumission, and made abuse a moral and legal offense. The paper also distinguishes between Islam as a divine legal-moral system and the actions of Muslims who may have violated that system. Misuse by individuals does not represent Islam itself. The study concludes that Islam created a regulated, accountable, and emancipation-oriented framework, while colonial Atlantic slavery was built on racial hierarchy, hereditary bondage, commercial exploitation, and systematic dehumanization.

**Keywords:** Islamic slavery, colonial slavery, Atlantic slave trade, Shari'ah, Islamic law, manumission, slavery and Islam, chattel slavery, Middle Passage, slave codes, rational ethics.



## 1. Introduction

Slavery is one of the most debated topics in religious, historical, and moral studies. Because the subject is emotionally sensitive, it is often discussed either defensively or accusatively. A serious research paper must avoid both extremes. The purpose of academic analysis is not to repeat slogans, but to examine historical context, legal structure, moral reasoning, and practical consequences.

This paper does not begin with the assumption that modern secular human-rights theory is the final standard by which Islam must be judged. Islam has its own moral foundation, based on revelation, reason, justice, accountability, and the recognition that all human beings belong to Allah. The Qur'an teaches that humanity was created from a male and a female and divided into nations and tribes. At the same time, true nobility is based on righteousness rather than race, wealth, or power (The Qur'an, 49:13). This establishes a moral worldview in which human value is not determined by skin color, tribe, class, or economic usefulness.

The question, therefore, is not whether Islam submits to modern secular moral categories. The stronger question is whether Islamic slavery, as regulated by Islamic law, was rationally and morally different from colonial Atlantic slavery. This paper argues that the difference was substantial. Islam did not create slavery; it regulated an already existing global institution. Islamic law recognized enslaved persons as morally significant human beings, imposed duties on masters, condemned the enslavement of free persons, created routes to freedom, and made abuse punishable. Colonial Atlantic slavery, by contrast, became a racialized, hereditary, plantation-based chattel system designed to produce wealth for European colonial powers.

### 1.1 Background and Significance

Slavery existed in many civilizations before Islam, including the Roman, Persian, Greek, Arab, African, and Indian worlds. Islam emerged in a historical environment where slavery was already embedded in war, household structures, labor systems, and international relations. Islamic law did not introduce slavery into a free world; rather, it addressed slavery as an existing social reality and placed it under moral and legal regulation. Oxford Islamic Studies explains that early Islamic law assumed the existence of slavery but sought to mitigate the conditions of bondage, forbidding the enslavement of free members of Islamic society and treating manumission as a meritorious act (Ze'evi, n.d.).

Colonial Atlantic slavery arose in a different setting. It was directly connected to European colonization, racial ideology, and plantation capitalism. Between the sixteenth and nineteenth centuries, millions of Africans were forced onto ships and transported across the Atlantic to labor in the Americas. The National Endowment for the Humanities reports that around 12.5 million Africans were forced aboard slave ships, and approximately 10.7 million survived the Middle Passage between 1526 and 1866 (National Endowment for the Humanities, n.d.).

The significance of this comparison lies in the fact that not all historical systems of slavery were identical. Colonial Atlantic slavery was based on race, hereditary bondage, and economic exploitation. Islamic slavery was not founded on the idea that one race was naturally born to serve another. Although Muslims sometimes failed to live up to Islamic standards, the failure of individuals or states does not define Islam itself. A just analysis must distinguish between normative Islamic law and historical misconduct.



## 1.2 Purpose and Objectives

The purpose of this research is to compare Islamic slavery and colonial Atlantic slavery through an Islamic-rational framework. The paper does not rely on secular human-rights ideology as its moral foundation. Instead, it evaluates the issue through the lens of rational justice, Islamic law, enforceable rights, and historical comparison.

The objectives are:

1. To explain the historical background of Islamic slavery and colonial Atlantic slavery.
2. To examine the legal and moral status of enslaved persons in Islamic law.
3. To analyze how colonial Atlantic slavery became racialized and hereditary.
4. To compare Islamic manumission mechanisms with colonial systems of permanent bondage.
5. To distinguish between Islam itself and the misconduct of Muslims who violate Islamic law.
6. To show that Islamic law provided accountability for abuse and did not give masters unlimited power.
7. To present a rationally grounded conclusion in support of the Islamic worldview.

## 1.3 Research Questions and Hypotheses

### Research Questions

1. How did Islamic slavery differ from colonial Atlantic slavery in foundation, law, and purpose?
2. Did Islamic law recognize enslaved people as human beings with rights and protections?
3. Was colonial Atlantic slavery based on race, heredity, and commercial exploitation?
4. How did Islam encourage or require pathways toward emancipation?
5. How should one distinguish between Islamic law and Muslims who violate that law?

### Hypotheses

**H<sub>1</sub>:** Islamic slavery was not equivalent to colonial Atlantic slavery because Islamic law recognized rights, duties, accountability, and pathways to freedom, while colonial slavery treated enslaved Africans as racialized property.

**H<sub>2</sub>:** Islam did not create slavery but regulated, restricted, and morally redirected an existing institution.

**H<sub>3</sub>:** Abuses committed by Muslim individuals or rulers represent violations or misapplications of Islamic law, not Islam itself.

**H<sub>4</sub>:** Colonial Atlantic slavery was structurally more dehumanizing because it was racial, hereditary, commercial, and plantation-based.

## 2. Literature Review

The literature on slavery shows that the term “slavery” covers many different historical systems. Some societies used enslaved people in households, armies, administration, agriculture, or domestic service. Others built entire economies on slave labor. Therefore, comparison requires attention to legal structure, social position, economic purpose, racial ideology, and routes to freedom.

Orlando Patterson’s theory of slavery describes the enslaved person as someone subjected to domination, dishonor, and social displacement (Patterson, 1982). However, the exact form of that domination varied widely across civilizations. In the Atlantic world, slavery became especially rigid because it was connected to race and plantation economics.



Slave codes in the Americas legally treated enslaved persons as property, drew a firm racial line, and made slave status hereditary through the mother (Britannica, 2026b).

The transatlantic slave trade was one of the largest forced migrations in history. Britannica states that the trade transported approximately 10 million to 12 million enslaved Africans across the Atlantic and became part of a triangular trade system linking Europe, Africa, and the Americas (Lewis, 2026). The Middle Passage was particularly brutal. Captives were chained below deck, often unable to sit upright, exposed to suffocation, disease, and severe overcrowding; historians estimate that between 15 and 25 percent of Africans bound for the Americas died aboard slave ships (Lewis, 2026).

The Zong massacre of 1781 illustrates the commercial dehumanization of colonial slavery. More than 130 enslaved Africans were thrown overboard by the crew of the British slave ship *Zong*, reportedly because of a water shortage, and the owners later pursued an insurance claim for the financial loss (Volle, 2026). This event demonstrates that Atlantic slavery treated enslaved Africans as cargo in a commercial system rather than as persons with recognized dignity.

Islamic sources present a different moral-legal framework. The Qur'an repeatedly encourages manumission. Qur'an 90:13 describes "freeing a slave" as part of the morally difficult path (The Qur'an, 90:13). Qur'an 24:33 establishes *mukatabah*, a contract through which an enslaved person could seek freedom, and instructs owners to assist them financially from the wealth Allah has given them (The Qur'an, 24:33). The Qur'an also recognizes the marriage of bondmen and bondwomen. Qur'an 24:32 instructs believers to marry off the righteous among their bondmen and bondwomen, while Qur'an 4:25 discusses marriage with believing bondwomen with permission and proper dowry (The Qur'an, 4:25; 24:32). This indicates that enslaved people were not treated as morally irrelevant objects but as members of the moral and religious community.

Hadith literature reinforces this point. In Sahih al-Bukhari 2545, the Prophet Muhammad described enslaved people as brothers placed under one's authority and commanded that they be fed from what the master eats, clothed from what the master wears, and not burdened beyond capacity (Sahih al-Bukhari 2545, n.d.). In Sahih al-Bukhari 2227, the Prophet reported that Allah will oppose the one who sells a free person as an enslaved person and consumes the price (Sahih al-Bukhari 2227, n.d.).

Islamic law also prescribed consequences for mistreating enslaved persons. Kecia Ali notes that penalties for maltreatment could include forced manumission without compensation to the owner (Ali, n.d.). This directly supports the argument that abuse was not merely left to the master's private will; it could become a legal matter. The literature, therefore, supports a nuanced conclusion. Islamic slavery was not a lawless system of domination. It was a regulated institution within a divine legal framework. Colonial Atlantic slavery, in contrast, was a racialized chattel system built around permanent forced labor and commercial profit.

### 3. Methodology

This study uses a qualitative comparative historical method. The method is qualitative because it interprets religious texts, legal principles, historical records, and scholarly analysis rather than collecting numerical survey data. It is comparative because it examines two systems: Islamic slavery and colonial Atlantic slavery. It is historical because each system is studied within its own context rather than judged by anachronistic assumptions.



The research uses four categories of sources. First, it uses primary Islamic sources, especially Qur'anic verses and hadith reports related to slavery, manumission, marriage, humane treatment, and unlawful enslavement. Second, it draws on historical sources on colonial Atlantic slavery, including Britannica, the National Endowment for the Humanities, and archival materials. Third, it draws on academic scholarship on Islamic slavery, including the work of Kecia Ali, Jonathan Brown, Bernard Lewis, William Clarence-Smith, and Dror Ze'evi. Fourth, it uses comparative legal analysis to evaluate how the systems differed in their laws, purposes, and rational justifications.

The comparison is organized around six themes:

1. Source of enslavement
2. Race and heredity
3. Legal status
4. Treatment and accountability
5. Marriage, family, and sexuality
6. Manumission and emancipation

This paper also applies a key methodological distinction: **Islam is not judged by Muslim misconduct**. If a Muslim enslaver violated Islamic law by abusing an enslaved person, that violation is evidence against the individual, not against Islam as a normative system. A legal system is judged by what it commands, permits, forbids, and punishes—not by the crimes of those who disobey it.

#### 4. Findings / Results

The first finding is that Islamic slavery and colonial Atlantic slavery had fundamentally different legal foundations. Colonial Atlantic slavery treated enslaved Africans as property under slave codes. Britannica summarizes slave codes as legal systems governing enslaved people in colonies or states where slavery was permitted, treating them as property rather than persons (Britannica, 2026b). Islamic law, by contrast, treated enslaved persons as legally subordinate but still morally recognized human beings with duties owed to them.

The second finding is that colonial slavery was strongly racialized. In Atlantic slavery, Black African ancestry became legally and socially associated with enslavement. Slave codes drew a firm color line and made slave status hereditary through the mother, meaning that a child born to an enslaved woman would also be enslaved regardless of the father's status (Britannica, 2026b). Islamic slavery was not founded on the belief that one race was naturally destined for servitude. Enslaved persons in Islamic history came from many ethnic backgrounds, including Africans, Turks, Slavs, Persians, Greeks, Indians, and others (Lewis, 1990; Ze'evi, n.d.).

The third finding is that Islam prohibited the enslavement of free persons. Sahih al-Bukhari 2227 reports that Allah will oppose the person who sells a free person as an enslaved person and consumes the price (Sahih al-Bukhari 2227, n.d.). This is highly significant because kidnapping, forced capture, and sale into the Atlantic market were central features of colonial slavery.

The fourth finding is that Islamic law required humane treatment. Sahih al-Bukhari 2545 states that enslaved persons are brothers under one's authority and must be fed, clothed, and not overburdened (Sahih al-Bukhari 2545, n.d.). This created a moral and practical standard: the master's authority was not absolute. The enslaved person had claims over the master.



The fifth finding is that abuse was not Islamically acceptable. Sunan Abi Dawud 5159 narrates that the Prophet ﷺ warned Abu Mas'ud while he was beating a servant, reminding him that Allah had more power over him than he had over the servant; when Abu Mas'ud freed the servant, the Prophet ﷺ warned that the Fire would have touched him had he not done so (Sunan Abi Dawud 5159, n.d.). This narration shows that mistreatment was treated as a serious moral offense.

The sixth finding is that Islam opened multiple pathways to freedom. The Qur'an links manumission with righteousness and expiation. It includes freeing enslaved people as an act of moral excellence in Qur'an 90:13 and establishes *mukatabah* in Qur'an 24:33 (The Qur'an, 24:33; 90:13). In addition, hadith literature praises educating, freeing, and marrying an enslaved woman, promising double reward for such conduct (Sahih al-Bukhari 2547, n.d.).

The seventh finding is that colonial Atlantic slavery was structurally violent, not merely accidentally abusive. The Middle Passage itself was built on coercion, confinement, physical suffering, and mass death. Britannica records that enslaved Africans were chained below deck, exposed to suffocating conditions, and suffered an estimated mortality of 15 to 25 percent aboard slave ships (Lewis, 2026). This violence was not simply the misconduct of a few individuals; it was built into the transportation and plantation system.

## 5. Discussion

A rational comparison must begin with the distinction between **normative Islam** and **historical Muslim behavior**. The Qur'an, Sunnah, and valid legal reasoning judge Islam. Muslims, however, are human beings who may obey or disobey Islamic law. If a Muslim ruler, merchant, or master abused an enslaved person, that action cannot automatically be described as Islamic. Rather, it must be compared against the Islamic standard.

This distinction is rational and necessary. A legal system is not invalidated merely because some people violate it. If a judge accepts a bribe, the law is not thereby pro-bribery. If a Muslim abuses an enslaved person, Islam is not thereby pro-abuse. The proper question is: Did Islam command that abuse, permit it without limit, or punish it? The sources show that Islam condemned abuse, restricted authority, and gave enslaved persons claims over their masters.

Islam did not grant masters unlimited ownership. The master could not lawfully enslave a free person, could not mistreat an enslaved person without moral and legal consequences, could not overburden them beyond capacity, and was repeatedly encouraged to free them. Ali's summary of Islamic law notes that penalties for maltreatment could include forced manumission without compensation to the owner (Ali, n.d.). This means that slave rights were not merely sentimental ideals; they could have legal effect.

Colonial Atlantic slavery was different because the injustice was not merely the result of individuals violating the law. In many colonial contexts, the law itself protected racial domination. Slave codes defined enslaved people as property, controlled their movement, denied legal equality, and made bondage hereditary. Thus, colonial slavery was not simply "misuse"; it was a system legally organized around dehumanization.

Islamic law recognized a different principle: human beings are originally free. Oxford Islamic Studies notes that the Islamic legal maxim *al-aṣl huwa al-ḥurriyah* means that the basic condition is freedom, and this principle forbade the enslavement of foundlings and orphans (Ze'evi, n.d.). This principle is deeply important. It means slavery



was not treated as the natural status of any race or people. Freedom was the original human condition, and slavery was a restricted legal condition arising under specific circumstances.

The Islamic approach to manumission also demonstrates a rational process of reform. In a world where slavery was internationally embedded, immediate unilateral abolition by one society would not necessarily end slavery globally, especially when warfare, captivity, and slave markets existed outside Muslim control. Islam instead restricted the institution, narrowed legitimate sources, condemned kidnapping, improved treatment, and repeatedly encouraged emancipation. Clarence-Smith (2006) and Brown (2019) both argue that Islamic abolitionist developments must be understood in relation to Islamic law's internal mechanisms of manumission and moral restriction.

The comparison becomes even clearer when considering race. Colonial slavery made Blackness a marker of permanent servitude. Islamic law did not establish a racial slave caste. Although racism existed among some Muslims, racism was not the divine legal basis of slavery. The Qur'an's moral anthropology opposes racial superiority by declaring righteousness, not ethnicity, as the basis of honor (The Qur'an, 49:13). Therefore, any Muslim who used race to claim natural superiority was acting against the Qur'anic moral principle. The issue of marriage and family also shows differences. Colonial slavery often broke families apart through sale and inheritance. Britannica notes that slave systems often allowed masters to separate families, and in American Southern slavery, enslaved family units could be broken by owners (Britannica, 2026a). Islamic law, while still recognizing slavery, gave legal and moral attention to marriage. Qur'an 24:32 refers to marriage among righteous bondmen and bondwomen, while Qur'an 4:25 discusses marriage with believing bondwomen and requires proper dowry (The Qur'an, 4:25; 24:32).

The issue of sexual exploitation requires careful discussion. Colonial slavery often exposed enslaved African women to sexual violence by owners, overseers, and traders. The hereditary rule that children followed the status of the enslaved mother created economic incentives for exploitation. Islamic law, by contrast, regulated sexual relations within a legal framework and prohibited prostitution and coercion into prostitution. Qur'an 24:33 explicitly forbids forcing slave girls into prostitution for worldly gain (The Qur'an, 24:33). This does not mean every Muslim acted lawfully, but it means Islamic law did not leave sexual exploitation unregulated.

Another important point is social mobility. In colonial Atlantic slavery, race usually prevented upward movement. Even free Black people often remained socially and legally marginalized. In Islamic history, some enslaved or formerly enslaved persons rose to positions of political, military, or scholarly influence. Oxford Islamic Studies notes that military slavery developed into a major institution and that in the Mamluk Sultanate, enslaved people became rulers of the state (Ze'evi, n.d.). This does not make slavery itself ideal, but it shows that Islamic slavery did not function in the same rigid racial caste structure as colonial Atlantic slavery.

A strong Islamic argument must therefore be honest but confident. It should not claim that Muslims never misused slavery. Historical abuse did occur. Some masters were unjust. Some rulers prioritized wealth and power over Islamic ethics. Some courts may have failed to enforce the law consistently. However, these failures are failures of Muslims, not proof that Islam itself endorsed oppression.



The Islamic worldview is not dependent on secular human-rights theory because Islam grounds rights in divine command and moral accountability before Allah. Rights in Islam are not merely social agreements; they are tied to duties before God. A master who abuses an enslaved person is not merely violating a social norm; he is answerable before Allah and, where Islamic law is applied properly, answerable before legal authority as well.

Therefore, the strongest conclusion is not that “Islamic slavery was the same as colonial slavery,” nor that “every Muslim society practiced slavery perfectly.” The strongest conclusion is that Islam regulated an existing institution through justice, accountability, and emancipation. At the same time, colonial Atlantic slavery created a racialized commercial system that treated human beings as hereditary property.

## 6. Conclusion

This research paper concludes that Islamic slavery and colonial Atlantic slavery were fundamentally different in foundation, legal structure, moral purpose, and social consequences. Colonial Atlantic slavery was racial, hereditary, commercial, and plantation-based. It treated enslaved Africans as property, transported millions across the Atlantic, subjected them to the brutality of the Middle Passage, and used slave codes to preserve racial hierarchy.

Islamic slavery was not equivalent to this system. Islam did not create slavery; it addressed an existing institution and placed it under divine law. Islamic law prohibited the enslavement of free persons, recognized enslaved people as morally significant human beings, required humane treatment, encouraged marriage, created emancipation contracts, praised manumission, and made abuse punishable. The master was not absolute; he was accountable to Allah and to law.

The paper also emphasizes that Islam must be distinguished from the misconduct of Muslims. If Muslims abused enslaved persons or ignored Islamic regulations, then they violated Islamic standards. Their wrongdoing cannot be used as evidence that Islam itself commands injustice. The Islamic standard remains the Qur’an, Sunnah, and sound legal reasoning.

This study does not rely on secular human-rights theory as the final authority. Instead, it argues from Islamic rationality: justice comes from truth, lawful authority, moral accountability, and recognition that all human beings belong to Allah. On that basis, Islamic slavery was a regulated, accountable, and emancipation-oriented system, while colonial Atlantic slavery was a racialized system of exploitation and dehumanization.

The conclusion is that Islam provides a stronger rational and moral framework. It recognizes human dignity through divine revelation, limits human power through law, gives rights to the weak, holds masters accountable, and directs society toward mercy, responsibility, and freedom.

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