

SOAS Special Collections Guides:

Archival Sources Relating to Legal Studies

Overview of Sources

SOAS collects archives relating to four main categories:

- Missionaries and missionary organisations
- Business archives
- NGOs, charities and campaigning organisations
- Individuals whose lives and works relate to the geographical areas of study at SOAS.

Material relating to many of the various law courses taught at SOAS may be found in all these categories of records. This guide serves as a brief 'taster' of what kind of material is available to researchers by focusing on sources for a select law course modules.

Where to begin?

Research sources can be divided into two categories: archives or primary source material, and published or secondary source material

The Archives and Special Collections department in SOAS Library holds an estimated 750,000 original documents, some 70,000 photographs and many thousands of published works comprising histories, memoirs, annual reports, rare books and periodicals.

Archives (Primary Sources)

Lists of archives and manuscript collections can be consulted in the Special Collections Reading Room, and many of the archive collections have also been catalogued on-line at <http://archives.soas.ac.uk/CalmView>

However, be aware that the on-line catalogue is not fully comprehensive yet, and will often need to be supplemented by reference to the hard copy catalogues in our Reading Room.

Publications (Secondary Sources)

Most of the rare book collection has been catalogued on the on-line Library catalogue at <http://lib.soas.ac.uk/>. The libraries of the Council for World Mission (London Missionary Society) and the Methodist Missionary Society, which were deposited at SOAS along with their archives, are also included in the Library's on-line catalogue.

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Colonialism and Empire

Much of the archive material we hold at SOAS relates to the theme of 'Colonialism and Empire'. However, the following collection deals specifically with the administration of law in Africa from the local perspective during the 20th century, right into the immediate post-independent era.

The Restatement of African Law Project (RALP) PP MS 74

RALP was a research initiative undertaken from the 1950s-1970s and based in the Department of Law at SOAS. Dr Antony N Allott (1924-2002), Professor of African Law at SOAS, was involved in the project and edited the resulting series of publications produced from 1968 onwards. Records range in date from 1902-1977 and relate to the administration of the RALP project, including minutes and research material. The latter comprises notes, publications, theses and other collected papers, containing information on various tribes and places including Basutoland (Lesotho), Cameroon, Ethiopia, Gambia, Ghana, Kenya, Madagascar, Malawi, Nigeria, Northern Rhodesia and Zambia, Sierra Leone, the Sudan, Tanganyika, Zanzibar and Tanzania, and Uganda. Topics include traditional customs, aspects of law (including succession, slavery, marriage and divorce), land tenure, legal systems (including customary law), legislation, courts, and particular legal cases. The collection was transferred by the Department of Law at SOAS and received in the Library in 1994.

Areas outside Asia, Africa and the Middle East

The global nature of colonial, missionary, and NGO activity invariably means our collections reflect a wider geographical coverage than Africa, Asia and the Middle East, extending to Europe, the Americas and Carribean, and Australasia and Oceania. The following are

examples from the archives where the impact of colonialism and empire was witnessed in areas outside Asia, Africa and the Middle East.

Australia

Sources recording the devastating impact of early colonialism on the indigenous population of Australia can be found in the rare books collection, the manuscript collection and the Council for World Mission collection.

Dawes manuscript MS 41645

William Dawes (1762-1836) was a lieutenant in the Royal Marines, who set sail for Botany Bay on 13th May 1787 as part of the 'First Fleet' on board the flagship HMS Sirius. Dawes developed friendships with the Aborigines around the Sydney area, and these notebooks, dating from the 1790s, are filled with pencilled notes, word lists, translations and even some rough maps of the Sydney coastline, providing a unique record of the Eora, the long-vanished Aboriginal people from the south-east corner of Australia.

Dawes fell out spectacularly with Governor Arthur Phillips and left Australia under a cloud. He subsequently became an ardent abolitionist, served as Governor in the Sierra Leone settlement for freed slaves, and ended his days in Antigua campaigning to alleviate the plight of slaves.

The story of Lieutenant Dawes and his Eora friend, Patyegarang, continues to inform and inspire new generations of researchers. The Endangered Languages Project, based at SOAS, has worked in partnership with Special Collections on a project to produce an interactive digital facsimile of Dawes' notebooks of the Sydney language available on the web. The project, led by David Nathan, has produced high resolution digital images of the notebooks and is

developing searchable transcriptions of the manuscripts. For more information go to <http://www.hrelp.org/dawes/>.

North America

Clark Bentom (c1774 – c1820) was an LMS missionary and surgeon based in Quebec from 1800 to 1805. Clearly a thorn in the authorities' side, Bentom was not accepted by the established clergy in the city and was eventually jailed for performing baptisms, marriages and burials without authorization for civil registers. However, his dogged pursuit of religious freedom in Quebec eventually led to the establishment of the right of Catholics and non-Conformists to be allowed to worship in peace and to be protected by law. Records relating to him can be found in the Council for World Mission Archive

South America

Christian Aid (3rd deposit), Box CA3/LA/C 43

Brazil 86: Legal Assistance to small farmers in Bahia - 1978-1982.

Commercial Law

Much of the archival information that we have relating to commercial law is based on property. Historical evidence continues to be provided from the SOAS archives for land cases being pursued in countries where disputes over foreign-owned property arise. Sources for this can be found in both missionary and business archives held at SOAS.

Ince papers (PP MS 78)

Little is known about Henry Alexander Ince as for many years the papers comprising this collection lay forgotten in a London solicitor's office, before being passed on to SOAS in 2002. What is known is that

he was born in 1809, the son an East India Company official in Calcutta. The collection relates to his time in Shanghai, where he arrived in July 1854, acquiring property and renting it out in the British Settlement. Although a successful entrepreneur, Ince was involved in at least one land case against the Shanghai Municipal Council. He returned to London in 1867 and thereafter conducted his business through a number of agents including the Oriental Bank Corporation and the Agra Bank. The collection comprises a range of materials relating to the management of Ince's property in Shanghai including correspondence, legal papers, title deeds, rental books, invoices, ledgers, tax returns, press cuttings, technical drawings and maps.

Human Rights and Ethnic Minorities

There is a wealth of material in the archives collection outlining the campaign for human rights and the support of ethnic minorities where their rights are threatened. Missionary and charity organisations are often at the forefront of campaigns to help protect the rights of indigenous peoples. This includes the struggle against slavery and apartheid, the protection of land rights, and protests at the erosion of civil and political liberties. The following examples provide a small sample of the archive collections held at SOAS which relate to this.

Land Rights

There are some notable examples of missionary organisations campaigning vigorously to protect the land rights and territorial claims of the people they served. In the 20th century, this role was increasingly taken on by campaigning organisations such as Survival International and Liberation (formerly the Movement for Colonial Freedom), both of whom have archive collections at SOAS.

Western Sahara Campaign (WSC)

The Sahara Action Committee was formed in London in the late 1970s after the occupation of Western Sahara by Morocco in 1975. This led to the establishment of the Western Sahara Campaign in 1982, which was formally launched in 1983. The Western Sahara Campaign has been working together with the Saharawi people and the liberation movement Polisario since 1985 and campaigns to advance their human rights as well as supporting their campaign for self-determination. The WSC archives document the conflict in Western Sahara and Britain and Europe's response to it. The collection comprises the organizational and campaign material of the Western Sahara

Campaign including: lobbying material; correspondence with MPs and MEPs; press releases; newsletters and United Nations Security Council reports. The collection also contains material from international human rights organisations, photographs and slides of refugee camps, press cuttings and reference material regarding the Western Sahara conflict.

Apartheid

There are various archive collections at SOAS that deal extensively with the effect of apartheid in South Africa. The Council for World Mission archives are a rich source of information on the subject as are other collections such as Christian Aid and Liberation.

Plaatje collection MS 37495



Sol Plaatje

Solomon Tshekisho Plaatje (1876-1932), was born in South Africa. He worked as a teacher and then as a civil servant, serving as Dutch interpreter during the Siege of Mafeking in 1898 during the Boer War. Plaatje decided to become a journalist in order to give a voice to the Bantu people and edited a number of Bantu language newspapers from 1902 to 1912. He was elected First Secretary-General of the

South African Native National Congress (forerunner of the African National Congress) from 1912-1917. In 1914 and 1919 he was a member of the Congress delegation to London against the Natives' Land Act of 1913. As a result of financial difficulties he became stranded in London for some time, but used this time to address meetings and to write *Sechuana Proverbs*. He returned to South Africa in 1917 but continued to campaign, travelling throughout Europe, Canada and the United States to draw attention to the plight of the black South Africans. He

was a prolific author and in 1919 he wrote *Mhudi* (published in 1930), which was the first published novel written in English by a Black South African.

Enslavement

There are substantial sources relating to slavery in both the archives and the library. The following are examples of archival sources relating to some of the legal cases that arose from this.

Methodist Missionary Society

The Methodists were notable for their campaign against slavery in the Caribbean, and were often persecuted as a result. Archives relating to this can be found in the MMS Special Series of archives which include memoranda on the applicability of English Law to the colonies, statements from persecuted missionaries in Jamaica, and other anti-slavery material.

The Will of James Hart MS 380887

James Hart was a plantation owner in Jamaica, who made a will in 1800, shortly before he died. This contemporary copy was made by the executor of the will. It provides an illuminating insight into life in a slave-based economy and some of the social engineering James Hart was attempting to ensure through the terms of his will.

The Demerara Uprising, 1823

John Smith (1790-1824) served as an LMS missionary to slave workers on the Demerara plantation 'Le Resouvenir', now in modern-day Guyana.

In 1823 there was a major slave uprising along the East Coast of Demarara, after rumours spread that plantation owners were refusing to comply with new laws to emancipate their workers. John Smith was

on good terms with Quamina [Kwamina], later identified by the authorities as one of the 'ringleaders' of the rebellion. Smith was subsequently charged with fomenting rebellion amongst the slaves and failing to notify the authorities about the slaves' plans. Sentenced to death after a highly dubious trial, he died in prison, probably from neglect and ill-treatment, before his pardon from the British government had arrived. Even by the standards of the day, the rebellion was put down with extreme force and great brutality. However, it was Smith's death in particular which focused attention on the uprising. News of his death provoked a huge public outcry in the UK, highlighted the plight of sugar plantation slaves and proved a spur to those already campaigning for the abolition of slavery.

The Council for World Mission archive contains reports, journals and correspondence from John Smith, as well as contemporary accounts of the 1823 slave uprising and its aftermath, including accounts of the trial and punishment of John Smith. John Smith's testimony regarding his conversations and relationship to Quamina are recorded within the trial accounts. Some correspondence from Quamina is included within the Council for World Mission Archive. CWM/LMS/West Indies/Incoming correspondence. Demerara/Box 2

Islamic Law



Sir Norman Anderson

Anderson Collection (PP MS 60)

Sir James Norman Dalrymple Anderson (1908-1994) was a missionary and Arabist who carried out ground-breaking research into Islamic law.

Graduating with a triple first in law from Trinity College, Cambridge, in 1931, Anderson spent eight years in Egypt as a missionary and later a student of Arabic at the American University in Cairo. He joined the British Army at the outbreak of war, and in 1940 was made Arab liaison officer for the Libyan Arab Force. In 1945 he became Political Officer for Sanusi Affairs, and later Secretary for Arab Affairs in the Civil Affairs branch of GHQ Middle East. In 1946 he attended the Foreign Ministers Conference as Adviser to Ernest Bevin, then Foreign Secretary, on the future of former Italian Colonies in the Middle East.

He lectured on Islamic law in the Law

Schools at Cambridge for three years, and then at SOAS from 1947 to 1971. He was the Professor of Oriental Laws in the University of London between 1954 and 1975. From 1949 to 1950, he spent six months on study leave in the Middle East (Egypt, Sudan, Lebanon, Syria and Iraq) as part of a special study of modern developments in Islamic law. In 1950 he spent three months in East Africa (as well as Aden and Hadramaut) and in 1951, three months in West Africa making a Survey

for the Colonial Office regarding the application of Islamic law in British African possessions. He wrote and published several books and articles on Islamic Law in Eastern Africa, and on Islamic law and marriage and divorce in the Middle East. His papers include correspondence, articles and documents concerned with Islamic law in the Middle East and East Africa.

Chinese Law

Council for World Mission

There are various sources of information within the CWM archive and library relating to Chinese law, including 'Company' paintings depicting scenes of traditional Chinese trial and punishment (CWML MSS 505).



Robert Morrison with colleagues in Canton

Robert Morrison (1782-1834), whose records can be found in the CWM archive, was the first Protestant missionary in China. He produced the first Anglo-Chinese dictionary and pioneered the translation of the entire Bible into

Chinese. He also introduced innovatory printing and publication practices to the Far East. He was an avid collector of contemporary

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Chinese publications, including texts on particular legal cases and jurisprudence. The *Catalogue of the Morrison collection of Chinese Books* was published in 1998 and is available for consultation in the Special Collections Reading Room.