

**SOCIO-ECONOMIC AND POLITICAL ROLE OF
PRISON INSTITUTION IN ZANZIBAR
FROM 1890 TO 1963**

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**MASTER OF ARTS IN HISTORY
THE UNIVERSITY OF DODOMA**

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**SOCIO-ECONOMIC AND POLITICAL ROLE OF PRISON
INSTITUTION IN ZANZIBAR FROM 1890 TO 1963**

BY

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**A THESIS SUBMITTED IN FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS IN
HISTORY**

THE UNIVERSITY OF DODOMA

OCTOBER, 2018

DECLARATION

AND

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CERTIFICATION

The undersigned certifies that he has read and hereby recommends for acceptance by the University of Dodoma, a thesis entitled “**Socio-Economic and Political Role of Prison Institution in Zanzibar from 1890 to 1963,**” in fulfillment of the requirements for the degree of Master of Arts in History in the University of Dodoma.

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Date:

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However, I declare that any shortcoming in this work entirely belongs to me.

DEDICATION

This Thesis is dedicated to my late mother Aiduu Juma Nassor and to all my family members.

ABSTRACT

This thesis informs the Socio-Economic and Political Role of Prison Institution in Zanzibar from 1890 to 1963. It, specifically, informs how prison was operated. It then informs the socio-economic, as well as the political role of colonial prison in Zanzibar. The Marxist theory of state supplemented with Foucault Disciplinary Approach guided in generating and analysing data from primary and secondary sources. It is argued that operation of colonial prison was not accidental but it mainly focussed to fulfil the socio-economic and political interest of the capitalists.

Colonial prison was operated on racial basis to maintain master-servant relation. Prison services, such as clothes, accommodation and diet were provided on racial basis. In addition, colonial prison used religious and secular instruction. These ideological weapons were imparted in the mind of Africans to control them in accordance to colonial interests.

Colonial prison relied on hard labor. It incorporated aspects such as the establishment of camps, use of colonial medicines, system of remuneration and after care. Corporal as well as capital punishment were another aspects of colonial prison. All these increased the incentive to work for the betterment of colonial government. White prisoners were exempted from such punishment. This is partly because the colonial authority regarded Africans an uncivilized and a delinquent race. Such punishments created obedience to the white rule.

Colonial prison experienced poor and inadequate infrastructure, as well as services that led to overcrowding and frequent infectious diseases. Under this situation, it did not win rehabilitation function rather it was institution of punishment.

Colonial prison acted as social and crimes control institution for effective running of colonial government. Moreover, the colonial prison served political purpose of colonial authority. Political opponents were the victims of colonial prison. However, it sow ‘the seeds of its own destruction as it laid down the ground of liberation struggle for the independence of Zanzibar. Generally, British colonial administration left some colonial prisons and camps as relics of colonial administration in Zanzibar.

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LIST OF ABBREVIATION AND ACRONYMS

ASP	Afro-Shirazi Party
BC	Before Christ
CP	Central Prison
DDT	Dichloro-Diphenly Trichloroethane
DMSS	Director of Medical and Sanitary Service
MH	Mental Hospital
PC	Prison Camp
PCs	Prison Camps
PD	Prison Decree
Sh	Shilling
SP	Superintendent of Prisons
Tb	Tuberculosis
TNA	Tanzania National Archive
US	United States of America
ZNA	Zanzibar National Archive
ZNP	Zanzibar Nationalist Party
ZPPP	Zanzibar and Pemba Peoples' Party

CHAPTER ONE

INTRODUCTION

1.1 Background to the Problem

Human beings, throughout recorded history, had devised inventive ways of punishment on the real or perceived transgressions. These include bodily mutilation, whipping branding, banishment, slavery, fines, and execution.¹ Prison institution is among the forms of punishment. Institutions for punishment can be described in different forms, like jail, correctional facility, corrective labor camp, penitentiary, institution of education for offenders “Vyuo vya Mafunzo”² in Zanzibar, among others. All are not distinguishable in form and function.

In Africa, the prison has existed for centuries³. However prison as institution of punishment and correction became widespread in most of the Sub-Saharan Africa – with the exception of Southern Africa only toward the end of Nineteenth Century at the advent of the colonialism.⁴ In Southern Africa, the prison institution was established at the beginning of Nineteenth Century, around the time of prisons reform movements in Europe and the

¹ Harry E. Barnes, “The Historical Origin of the Prison System in America”, *Journal of the American Institute of Criminal Law and Criminology*, Vol. 12, No. 1 (1921), p.37.

² Soon after Zanzibar Revolution of 1964, the prison was changed to” Vyuo vya Mafunzo” which stands for the institution of Education for the offenders.

³ Florence Bernault, The politics of Enclosure in Colonial and Post –Colonial Africa. In Florence Bernault (ed.) *A History of Prison and Confinement in Africa*. Translated by J. Roitman (Portsmouth: Heinmann, 2003), p. 7.

⁴ Stephen Pete, “A Brief History of Human Rights in the Prison of Africa”, In Jeremy Sarkin, (ed.) *Human Rights in African Prisons*, (Athens: Ohio University Press, 2008), p. 44.

United States of America.⁵ Consequently, the history of African prisons makes it clear that modern prisons were launched by European imperialists as state instruments for subjugating and penalize those who resisted the colonial authority.⁶

Prison institution was introduced by the colonial regime as a mechanism of punishment in the legal system in African regions.⁷ Initially, prisons in Africa were housed in the Eighteenth Century forts. For instance, Fort Jesus in Kenya was used as the custody of vagrants, lunatics and paupers who were accommodated separately from other inmates.⁸ In Zanzibar, Arab rulers used the famous historical building, the Old Fort as their prison throughout the nineteenth century.⁹ From that period to date, prisons have become one of key state instruments of punishment in Zanzibar.

Before Zanzibar became British Protectorate in 1890, Arab rule under Sultan Seyyid Said used prisons to safeguard his authority and facilitate his economic interests.¹⁰ The sultan, enforced law and order in the territory by imprisoning anybody who became a threat to his authority or his economic interests. Prisons were first used to punish Arabs and other Asian

⁵ *Ibid.*, p. 45.

⁶ Jeremy Sarkin, An Overview of Human Rights in Prisons Worldwide, in Jeremy Sarkin, (ed.) *Human Rights in African Prisons*, (Athens: Ohio University Press, 2008), p. 25.

⁷ David Williams, "The Role of Prison in Tanzania: A Historical Perspective", *Crime and Social Justice*, No. 13, Focus on Prison, (1980), p. 28.

⁸ Pete, "A Brief History of Human Rights in the Prison of Africa", p. 46.

⁹ Sara Longair, *Colonial Zanzibar Imprisonment*, <http://convictvoyages.org/expert-essays/colonial-zanzibar> (Accessed on 18/09/2016)

¹⁰ *Ibid.*,

communities, since some of them were rebellious and slave pirates.¹¹ During that period, a common punishment for Africans was enslavement.¹²

The British officers urged Sultan Barghash (1870-1888) to improve the state of the fort that acted as a prison, knowing the importance of prison as a crucial tool to carry on their social, economic and political demands. When the British imperialists established Zanzibar as protectorate colony, they improved the prison institution for the benefits of their colonial authority. The need to remedy the situation became urgent for the British officers. They introduced several internal reforms to ensure peace, order and good governance of the British Protectorate.¹³ British colonialists found that Zanzibar prisons were in very poor conditions.¹⁴ In 1892, the British Consul by the name C. S. Smith suggested construction of a new building in Changuu Island to be a new prison.¹⁵ However, according to Sarah Longair, the proposal did not materialize since the building was never used as prison.¹⁶ Alternatively, British representatives in Zanzibar established several prisons at different areas of Unguja and Pemba Islands, such as

¹¹ *Ibid.*,

¹² *Ibid.*,

¹³ Arthur H. Harding, "Legislative Methods in the Zanzibar and East Africa Protectorates", *Journal of the Society of Comparative Legislation*, Vol. 1, No. 1 (March 1899), p. 6.

¹⁴ Sarah Longair, *Colonial Zanzibar Imprisonment* <http://convictvoyages.org/expert-essays/colonial-zanzibar> (Accessed on 18/09/2016).

¹⁵ *Ibid.*,

¹⁶ According to Longair the Prison Island had been never used as Prison. Instead, the British administration used the prison's buildings as a site for quarantining boats and passengers infected by diseases such as plagues. However, this was contrary to the colonial prison administration reports as can be shown in the following chapters.

Kiinua Miguu and Kinumoshi in Unguja as well as Wete and Tibirizi prisons in Pemba Island to serve a specific colonial objective.

Against this background, the study was inspired to uncover the ways colonial state of Zanzibar operated the prison institution and its influences on social, political and economic matters. Therefore, the study adds to historical knowledge about the colonial prisons in the context of the protectorate system whereby two colonialists in Zanzibar – British and Arabs – exercised their power over Africans.

1.2 Statement of the Problem

Prisons are among the crucial administrative institutions of punishment for the real or alleged transgression. Prison has existed in Zanzibar islands from the colonial to post-colonial period. Toward the end of Nineteenth Century, the British colonialist, as the protectorate authority in Zanzibar from 1890 to 1963, encouraged the establishment of prison institution in various parts of Zanzibar to facilitate their socio- economic and political interests. It was during this period – 1890 to 1963 –the colonial power in Zanzibar began using prisons as the primary means of punishment to those who transgressed the colonial law and order for the interest of the colonialists. Despite its influence in the socio-economic and political matters, the area of the history of prison institution in Zanzibar is scarcely examined and left a number of unanswered questions. Among the questions are how was the prison institution operated in Zanzibar from 1890 to 1963? How did prison institution affect the socio-economic relations in Zanzibar from 1890 to

1963? And, what were the roles of prison as a state institution in shaping political relations in Zanzibar from 1890 to 1963? Therefore, this study was suggested to fill this gap by addressing the ways the prison institution operated and express the socio-economic and political roles of prison institution in Zanzibar from 1890 to 1963.

1.3 Objectives of the Study

The study has general as well as specific objectives as follows:

1.3.1 General Objective

The general objective of this study was to investigate the socio-economic and political role of prison institution in Zanzibar from 1890 to 1963.

1.3.2 Specific Objectives

This study had the following specific objectives:

- i. To trace ways prison institution was operated in Zanzibar from 1890 to 1963;
- ii. To examine the role of prison as a state institution in shaping socio-economic relations in Zanzibar from 1890 to 1963; and
- iii. To examine the role of prison as a state institution in shaping political relations in Zanzibar from 1890 to 1963.

1.4 Research Questions

This study was guided by the following research questions:

- i. How was prison institution operated in Zanzibar from 1890 to 1963?
- ii. How did prison institution affect socio-economic relations in Zanzibar from 1890 to 1963?
- iii. How did prison institution affect political relations in Zanzibar from 1890 to 1963?

1.5 Significance of the Study

This study is extremely important because it adds valuable knowledge to the existing literature of the history of prison. Also, the results of this study portray the magnitude of the history of prisons, specifically, on the ways the prison operated and the socio-economic and political roles of prison in Zanzibar from 1890 to 1963. In addition to that, the findings from this study will inform future researchers in the field of history and penology. This study also depicts the state of current prisons in comparison to those of the colonial period. Hence, such results may help to influence those with responsibility to design and implement policies in practice to achieve the prison goals of deterrence and reformation in order to reduce the wave of recidivism.

1.6 Theoretical Framework and Literature Review

1.6.1 Theoretical framework

The Marxist theory of state and power disciplinary approach of Michel Foucault guided this study.

1.6.1.1 The Marxist Theory of State

The Marxist theory of state contends that “the executive of modern state is but a committee for managing the common affairs of the whole bourgeoisie.”¹⁷ From this point, Marx believed that the state is an instrument for defending and promoting interests of the ruling class, which in the case of capitalism is the bourgeoisie. The state is part of the superstructure of society and only exists in class society. Due to existence of classes, the state needs establishment of a coercive body (political superstructure) to maintain order and the status quo that is always in the interest of the ruling class.

The knowledge carried in this theory informs that the state apparatus, including the prison institution came from the ideas of the ruling class¹⁸ in order to consolidate its hegemony over the ruled class. In due regard, the theory suggests that there were relationships between the colonial government in Zanzibar and the prison institution. However, this theory has some weaknesses stemming from the circumstances under which influenced the Marxists’ arguments. The Marxist theorists were influenced by the class struggles during the industrial development in Europe and, therefore, have viewed state only on a materialistic standpoint and have overlooked the political aspects of the state and that prison was established, among others,

¹⁷ Karl Marx and Friedrich Engels, *The Communist Manifesto* (Moscow: Progress Publishers, 1948), p. 11.

¹⁸ Christopher Adamson, “Toward a Marxian Penology: Captive Criminal Populations as Economic Threats and Resources”, *Social Problems*, Vol. 31, No. 4, (April, 1984), p. 436.

to fulfill this political function. Therefore, the power disciplinary approach was also used to supplement the study.

1.6.1.2 Power Disciplinary Approach

The power disciplinary approach was developed and practiced by Michael Foucault. The approach considers punishment- in this case through prisons institutions – as a political tactic situated within the general field of power relations. Foucault indicated that the emergence of prisons in the early 19th Century related to how domination is achieved and individuals are socially constructed in the modern world.¹⁹ The approach used three analytical tools that include power, knowledge and body. These analytical tools are fundamental to the structure of domination in relation to emergence of prisons.

According to Foucault, power refers to various forms of domination and subordination that operate whenever and wherever social relations exist. The human body is the ultimate material that is seized and shaped by political, economic as well as penal institution (Prisons) in order to be successfully subjugated.²⁰ It is also held that successful control of human object requires the degree of understanding (knowledge) of its forces, its reaction, its strength and weakness. Conversely, the more it is known, the more it is controllable. Therefore, the system of production, domination and socialization require that bodies should be mastered and subjected to

¹⁹ Michel Foucault, *Discipline and Punish: The Birth of Prison*, 1975 Trans. Alan Sheridan (New York: Pantheon, 1977), p. 23.

²⁰ *Ibid.*, p. 136.

training so as to render them docile, obedient, and useful.²¹ These power-knowledge disciplines evolved during the early European capitalism, but such techniques and principles are transferable and may be applicable elsewhere under different regimes, like in the prison institution in the period under discussion. The approach was applicable in this study due to the following reasons: Firstly, the approach seems to suggest that prison is a form of power relation. In the context of this study, the prison institution was used by the colonial government as a political tactic to retain prisoners for successful subjugation. Secondly, the approach helped to develop a comprehensive picture on addressing the history of prison institution in Zanzibar. Taken together, both theory and approach helped the researcher to address ways and influence of prison on socio-economic and political relation in Zanzibar. Consistent to the scope of this study, the Marxist theory was employed due to the following reasons: Firstly, the theory helped the researcher to conceptualize close and effective relationship between colonial government in Zanzibar and the prison institution. This was possible because the concept of state apparatus in the Marxist theory included prison institution. In due regard, prisons as observed by Adamson, have been part and parcel of hegemony over the ruled class.²² This means people in Zanzibar were imprisoned as ruled class for interests of the colonial state. Secondly, the theory was employed because it helped the researcher to establish logical argument that operations of prison institution

²¹ *Ibid.*, p. 136.

²² Adamson, "Toward a Marxian Penology: p. 436.

during the studied period were not accidental. It focused on fulfilling socio-economic and political interest of the colonial government rather than the natives' interests.

1.6.2 Literature Review

1.6.2.1 Studies on Emergence and Development of Prison in the World Perspective

Prison institution has long history. Their existence is reported in religious books of Quran and Bible. In the Old Testament of the Bible, prison is reported to be in use from 2040 – 160, Before Christ (BC), in Egypt and in ancient Assyria as well as Babylon.²³ The Egyptian prison mentioned in the Old Testament is the same to that mentioned in the Quran. Both Quran and Bible narrate that Joseph (Yusuf peace be upon him (a.s)) was incarcerated on deceitful charge for indulging in adulterous sex with his master's wife.²⁴ Such narration justifies that prison institution was not new on the earth's surface and it was the earliest off all institutions that came in to being past centuries BC.

The study of history of prisons in the world has been influenced by the work of Michel Foucault's *Discipline and Punish*.²⁵ Several scholars of history of incarceration have followed his footsteps. Foucault set out to explain how disappearance of brutal forms of punishment such as whipping, branding and bodily mutilation was eliminated in favor of a uniform practice of

²³Mary K. Stohr and Anthony Walsh, *Correction: The Essentials*, Chapter, 2 (Los Angeles: Sage Publications 2014), p.19.

²⁴ See Quran (12:32-3).Genesis 39:20-41:14

²⁵ Foucault, *Discipline and Punish*:

imprisonment as a general form of modern punishment. Contrary to religious books Foucault saw that the prison was an element in new technology of discipline and surveillance. He also stressed that prison as an administrative apparatus,²⁶ was an important element within the strategies of domination that the present model of power operates in capitalist world. Foucault provides significant account as to why prison became primary means of punishment in the early 19th century in Europe and United States of America whereby socio-economic pressures played significant role on their emergence.²⁷ However, while Foucault accounts for the paradigm shift from the primitive form of punishment to the modern one of imprisonment, he does not focus on failure or advantage of prison institution. Therefore, this study focused on how prisons were operated in colonial African context and their relations on socio-economic and political aspects in Zanzibar society.

Building on Foucault's study, Hernaman Franke provided the socio-historical explanation of the long-term penal change that occurred in Europe. Franke claimed that prisons developed in the Netherland and other countries in the Western world since the end of eighteenth century. However, until 1780, Franke pointed out that imprisonment in the Netherlands was not a form of judicial punishment.²⁸ Like Foucault, Franke's study examined emergence and development of modern prison in

²⁶ *Ibid.*, p. 125.

²⁷ *Ibid.*, p. 89.

²⁸ Hernaman Franke, "The Rise and Solitary Confinement: Socio- Historical Explanation of Long-Term Penal Changes", *The British Journal of Criminology*, Vol. 32, No.2 (1992), p. 125.

developed countries whereby most western scholars of history of prison unanimously contend that punishment of incarceration substituted archaic punishment of ancient regimes in western countries.

In addition, Matthew Meskell offers an explanation on birth of prison system in the United States by focusing on how prison adapted the socio-economic pressures. Despite socio-economic pressures in the United States of America Meskell claims that the idea of imprisoning convicts in separate cells did not originate in America. To justify this Meskell contends that Roman had a well-developed system for imprisonment before it was developed in America.²⁹ Meskell reveals that development of prison system in America at the beginning of 1790 was contributed by the works of various reformers from Europe and United States namely John Howard (1726- 1790); William Penn (1644- 1718); Jeremy Bentham (1748- 1832); and Cesare Beccaria (1738- 1790).³⁰

Contrary to scholars of western countries, the scholars of the history of prisons in Africa, relate the rise of prisons with the emergence of colonialism in Africa. Bernault (2003), Sarkin (2008), Killingray (2003), Branch (2005) and Williams, (1980) provided a wider historical context of the emergence of prisons in Africa. For instance, Bernault points out that penal incarceration was new to Sub-Saharan Africa during European imperialism. Unfortunately, this imported penal institution in the colonies

²⁹ Matthew Meskell, "An America Resolutions: The History of Prisons in the United States from 1777 to 1877", *Stanford Law Review* Vol. 51, No. 4 (April 1999), p. 846.

³⁰ *Ibid.*, p. 839.

often resonated with pre-modern practice captivity, imprisonment, and physical seclusion rather than follow the substantial alteration that occurred in Western prison model.³¹This study lays a foundation in the history of prison in Africa. However this study sought to know how emergence of prisons in Zanzibar benefited the colonial authority by examining how it was operated.

Most scholars of history of `prisons in Africa, such as Pete (1986) and Bernault (2003), agree that prisons in a modern sense cannot be separated from colonialism. But emergence of prisons from one colony to another varied in accordance with the historical context. Pete contended that despite being imported by colonizers at the end of nineteenth century, the prisons in a modern sense were established earlier in Southern Africa than the rest of Africa at the beginning of nineteenth century closely following the prisons reform movement in Europe and America.³² All these scholars have centered their studies in continental Africa by focusing either on Africa in general or a few specific nations where Zanzibar is not included. Therefore, it was very important to explore the history of emergence of prisons in Zanzibar by focusing on management of prison institution, as well as their role in shaping socio-economic and political interactions.

Branch argues that expansion of prisons supported spread of colonial influence to peripheral areas and it was in accordance with contemporary

³¹ Bernault, *The Politics of Enclosure*, p. 3.

³²Stephen Pete, "A Brief History of Human Rights in the Prison of Africa", p. 45.

colonial practice. However, the dearth of cultural relevance exacerbated by the introduction of colonial legal codes threatened legitimacy of the prisons in Africa.³³

The study conducted by Africa Watch Prison describes development and growth of South African prison system that was directly related to racial segregation. The report points out that Apartheid system influenced on the Southern African authority to use imprisonment to facilitate white and capitalist domination. The study also reports that the basis of South African prison law today originated from Prison and Reformatories Act of 1911, which was later replaced by the Prison Act of 1959. The Act renamed the prison as “the Correctional Services”.³⁴ The study is both encouraging and discouraging. It is encouraging because the authors attempt to relate emergence of prison with racial segregation as an issue considered very common in European minds. This is because Europeans believes that colonialism probably with its administration was established in the belief that superior races have the privilege and duty to civilized inferior African races. However, the researcher needed to know how racial segregation influenced emergence of prison in society like Zanzibar where the system of Apartheid did not operate.

³³Daniel Branch, “Imprisonment and Colonialism in Kenya c. 1930-1952: Escaping the Carceral Archipelago”, *The International Journal of African Historical Studies*, Vol. 38, No. 2 (2005), p. 244.

³⁴ African Watch Prison Project, *Prison Conditions in South Africa* (New York: Unites States of America, 1994), p. ix

Like other scholars, Longair relates the rise and development of prison with advancement of colonialism in Zanzibar. She contends that throughout nineteenth century, the prison was housed in the eighteenth century Fort located at the seafront of Zanzibar town, which was also treated as barracks for soldiers. Like other scholars in the history of prison in Africa she related emergence of prison with colonialism. Longair points out that construction of the modern prison in Zanzibar was suggested by the British colonialist after seeing that conditions of inmates in the Fort were inhuman due to inadequate ventilation. Longair's claim on inadequate ventilation of the fort as the main reason for the transformation of prison institution in Zanzibar seems neither sufficient nor convincing because she does not provide strong evidence for her claim. Many questions arise that require further studies to explore other political and economic reasons behind that transformation including; ways prisons were managed and shaped the socio-economic and political relations both during the 19th Century and 20th Century. That was why the present study was undertaken to explore some of these rising questions.

1.6.2.2 Studies on Objectives of Prisons

Purposes of establishment of prisons depend on needs of particular administrators or societies. Scholars who studied prisons in Africa and in the world in general described various objectives of prison institutions such as rehabilitation, deterrence, confinement and control of African population, crime as well as class control. Enuke notes that initially the purpose of

prison was the custody of persons caught up in the criminal justice systems awaiting trials or execution of their punishment. However, such purposes changed all over the world to the ultimate institutions for punishment and correction during the birth of modern era in the imperialist world.³⁵ In further displaying the objectives of prison service, Enuke claims that in 1977 the Nigerian government outlined the prison services such as custody, diagnosis, correction, training, and rehabilitation of incarcerated transgressors.³⁶ Even though Enuke describes various objectives of establishment of prison yet the present study needed to make further investigation on how prisons in Zanzibar operated to achieve the stated goal.

Pete reports that the first prison established at Fort Jesus in Mombasa Kenya was used for custody of vagrants, lunatic, and paupers who were accommodated separately from other inmates. The first prisons in Ghana were mainly custodial institution.³⁷ Pete also shows how the prisons in Southern African context were perceived. He claims that in Southern Africa prisons were set as the institution for confining and controlling of African population, in particular the African labor powers.³⁸ Pete contributes to explain on objective of establishment of prison in Africa through labour power in the settler society was achieved. However, the critical reader may

³⁵Enuke, "Humanizing Nigeria Prison through Literal Education", p. 18.

³⁶*Ibid.*, p. 18.

³⁷*Ibid.*, p. 46.

³⁸*Ibid.*, p. 45.

need to know how the labor power worked on non-settler colony like Zanzibar. Therefore, this sought to discover ways in which convict labor operated in colonial prison in Zanzibar.

The penal reformers in England, France, German, and the United States were catalysts of establishment of prisons. They had the opinion that fear from punishment did not create a satisfactory restraint on the realization of criminal intentions. Franke's focused on the prison system in the Netherlands. He reports that the Western reformers proposed that development of prisons should include deterrence of transgressors as well as improve them morally.³⁹ Franke's focus was on the function of prison in the western countries. The present study examined objectives of the establishment of colonial prison and how they shaped the socio-economic and political relation in Zanzibar.

Said describes the nature of prison in pre and post independent Tanzania. She contends that during pre-independence, prisons were governed under colonial rules and regulations with the aim of providing punishment to criminals as well as instilling fear to control criminal activities. Even though the prison system targeted the colonial interest, it was confronted with very diverse problems that changed with time. According to Said, the post-colonial prison system changed from philosophy of inflicting pain and

³⁹Hernaman Franke, "The Rise and Solitary Confinement: Socio-Historical Explanation of Long-Term Penal Changes", *The British Journal of Criminology*, Vol. 32, No. 2 (Spring 1992), p. 125.

torture -provided during the colonial period- to rehabilitation of criminals.⁴⁰ Dignity and respect of prisoners were the primary focus of prison after independence. In the case of Zanzibar, she claims that conditions and management of prison after the Revolution of January 1964 changed. Under the order of the late President of Revolutionary government, -Sheikh Abeid Aman Karume, -the institution changed from the term “prisons” to “Institution of Education for Offenders”⁴¹ (called in Kiswahili, *Vyuo vya mafunzo*). Said tried to historicize development of pre- and post-colonial prisons in Tanzanian perspective, but she left many aspects of Zanzibar prisons uncovered specifically during the colonial period. Contrary to Said, the present study specifically concentrated on the prison institution in the colonial period, and provided in-depth information on operations and socio-economic and political objectives of prisons in Zanzibar Protectorate.

1.6.2.3 Studies on Operations of Colonial Prison Institution

The prison institution was not accidentally established. In African context, as Branch points out expansion of prisons supported spread of colonial influence to peripheral areas and it was in accordance with contemporary colonial regimes.⁴² From the inception colonial states used the prison as an early instrument for subjugation of Africans. Due to vastness of the African continent and relative differences of culture and colonial regime, it is

⁴⁰ Zuhura Said, *Usawiri wa Ufungwa Katika Riwaya ya Kiswahili: Mifano Katika Riwaya ya Umleavyo na Haini*, (MA. Dissertation, Department of Kiswahili, University of Dodoma, 2016), p. 3.

⁴¹ *Ibid.*, p. 3. See also David, *The Role of Colonial Prison in Tanzania*, p. 27.

⁴² Branch, *Imprisonment and Colonialism in Kenya c 1930-1952*, p.244

impossible to generalize operations of colonial prisons in Africa. As far as an institution for detaining men against their will was concerned, prison institution was established and relied on various strategies to achieve its goals.

Florence Bernault in her chapter *The Politics of Enclosure in Colonial and Post – Colonial Africa*, describes the influence of racist ideology on operation of colonial prisons in Africa. Bernault argues that racial segregation was the tacit basis for management of colonial prisons in Africa.⁴³ She shows that all aspects of prison such as architectural, moral and bureaucratic management were run through racial discrimination. She points out that colonial prisons created a form of social control by encouraging consolidation of racial tension and social inequality.⁴⁴ She notes that prison architecture sought to reproduce colonial hierarchies, racial distinction and created contrast between whites and mass of African subjects.⁴⁵ She also argues that colonial prisons in Africa did not aim at ensuring new forms of social harmony and conformity but rather to guarantee European hegemonic control. In addition, Bernault points out that the colonial power put considerable emphasis on economic ends of prison and its role in organizing forced labor.⁴⁶ The article is well argued on operation of colonial prisons by focusing mainly on settler colonies of Southern Africa and Kenya.

⁴³ Florence, *The Politics of Enclosure in Colonial and Post –Colonial Africa*, p. 3.

⁴⁴ *Ibid.*, p. 4

⁴⁵ *Ibid.*, p. 21

⁴⁶ *Ibid.*, p. 3

Harry E. Barnes provides the history of prison system in America by describing how the colonial prison in America was operated. He considers imprisonment as the typical mode of punishing crime and he believes on the doctrine that imprisonment should not be in idles but at hard labour. He further describes the nature of criminal codes and types of punishment in the colonial period and further points out that in the eighteenth century colonial America, prisons were constructed according to the principle of solitary. He argues that separate confinement resulted in health problem and intellectual imprisonment, since the unhappy criminal found solace life in the penitentiaries. He insists that convict in colonial prison in America had abundant light, air and warmth, had good and wholesome food, had seasonable and comfortable clothing, had the best medical attendance, had books to read and ink as well as paper to communicate with his friends at stated period.⁴⁷ He further points out that the prison was regulated under prison disciplines and those who breached the prison regulations, whipping as a means of preserving order and securing obedience was employed.⁴⁸ Barnes points out further that it was until 1825 onwards the institution for juvenile delinquents was opened. Reformatory institution of 1877 embodied in it disciplinary and administrative procedure, emphasis on reformation, practice of commutation of sentence for good behaviour, the grade and classifying system, an indeterminate sentence, and emphasis on productive labour.⁴⁹ In spite of promising beginning Barnes argues that the attempt to apply new system of penology in the prisons in America provided a considerable failure since the prisons

⁴⁷ Barnes, *The Historical Origin of the Prison System in America*, pp.49-50.

⁴⁸ *Ibid.*, p. 54.

⁴⁹ *Ibid.*, p.59

became overcrowded.⁵⁰The study is convincing since it provides a ground in the operation of colonial prison. However, the present study sought to investigate operation of colonial prisons in African context whereby prison accommodation was mainly in communal rather than solitary confinement.

Stephen Pete in 2008⁵¹explored the way colonial prison operation in Africa affected human rights of the prisoners. Pete points out that prisoner in colonial Africa faced intense suffering. For instance, colonial prison abused female offenders. He also remarked that prisons in British colonies and French West Africa were often dilapidated as well as chronically overcrowded which resulted to serious health problems such as dysentery, diarrhoea and measles.⁵² He further pointed out that establishment of detention camps increased the harsh punishment of imprisonment through hard labour.⁵³ Pete showed that colonial prisons operated under deplorable and inhumane conditions that resulted from inadequate facilities, poor diet coupled with lack of hygiene, hard labour, corporal punishment and capital punishment. Moreover, he remarked that colonial prisons in Africa discriminated and segregated prisoners on the basis of race.⁵⁴In this well researched work Pete provided a picture of harsh treatment of colonial prisons in British colonies and French colonies. However, the cited work created a need for studies that examined operations of colonial prison in British protectorates.

⁵⁰ *Ibid.*, p. 48

⁵¹ Pete, A Brief History of Human Rights in the Prison of Africa

⁵² *Ibid.*, p. 41,47, 48.

⁵³ *Ibid.*, p. 46.

⁵⁴ *Ibid.*, p. 50.

In 2008, Stacey Hynd wrote an article that traced the development of capital punishment in British Africa. Hynd argued that colonial penology relied on direct violence and racial application of legal violence as constant drives to combine the domination of men and territories. He insisted that punishment was civilizing force and moulding African into obedient subjects. He concluded that the primary aim and function of death sentence was to deter others from challenging colonial orders rather than retribution against individuals.⁵⁵

Sarkin pointed out that colonial prisons aimed at subjugating and controlling local population through racial discrimination, forced labour and use of corporal punishment as well as capital punishment.⁵⁶ He concluded that at a time European prisons abandoned torture as means of punishment, African colonial prisons were attracted by ancient and horrific means of torture as ways of influencing racial subordination.⁵⁷

Daniel Branch described the nature of imprisonment in colonial Kenya. He pointed out that prison and detention camps were the location for physical punishment in the form of extremely unhealthy conditions, poor diet and corporal punishment. Branch pointed out by 1930, Kenya penal system was sometimes violent, overcrowded and corporal punishment for those who breached prison discipline was common.⁵⁸ He concluded that in term of size of prison service and conditions within institutions,

⁵⁵ Stacey Hynd, Killing the Condemned: The Practice and Process of Capital Punishment in British Africa 1900- 1950s, *The Journal of African History*, Vol. 49, No. 3 (2008), pp.403- 404.

⁵⁶ Sarkin, An Overview of Human Rights in Prisons Worldwide p. 10.

⁵⁷ *Ibid.*, p. 13.

⁵⁸ Branch, Imprisonment and Colonialism in Kenya c1930-1952, p. 246.

the Kenya penal system resembled that of the settler colony of Southern Rhodesia (now Zimbabwe) rather than the other colonies of East and Central Africa partly because presence of settler appeared to have significantly altered the form of imprisonment in colonial Africa.⁵⁹ Therefore, the article provides room for more studies to be undertaken to find out operations prison service and conditions in non-settler colonies of East Africa, particularly in Zanzibar Protectorate.

1.6.2.4 Studies on the Role of Prisons

State machineries have been always established to execute specific functions. Prisons as the state apparatus were not different. Normally, the prison is an institution of punishment since it deprives the offender's liberty. In conjunction with this function, the significant role of prisons construction depends on the agent's objectives.

In analyzing penology in the United States during nineteenth century in terms of business cycle and labour supply, Adamson argues that prison served the economic role. He constructed the economic role of prison with reference to interactions between crime and class control strategies of prison reformers, prison administrators, and government officials and their financial and industrial goals.⁶⁰ He argues that prisons of nineteenth century in Western world were operated as agencies of crime and class control as well as industrial organizations.⁶¹ However, Adamson's focus was on the socio-economic role of prisons mainly in the industrial world. This study

⁵⁹ *Ibid.*, p. 245.

⁶⁰ Adamson, "Toward Marxian Penology: p. 435.

⁶¹ *Ibid.*, p. 436.

focused on such perspectives but in the context of non-industrial countries, specifically in Zanzibar.

A study done by Scicluna and Knepper demonstrates the role of prisons in colonial societies. In the colonial context, convict labour was a very important aspect of colonial prison policy. They show how inmates in various prisons were used to perform public works, repairing roads, and cleaning streets.⁶² This study attributes on the role of prisons in colonial societies but it touches on some aspects of prisons including convict labor. The present study went further in explaining socio-economic and political role of prison institution in Zanzibar as well as other aspects of prison patterns such as religious and secular instruction.

The prisons in colonial Africa were used as instruments of controlling and subjugating African population as well as class control. Pete points out that the colonial authorities used prison institution as an economic incentive so as to enforce tax collections, forced labour as well as provide colonial agencies with constant flow of cheap labor.⁶³

In describing the role of prison Eneku argues that in the mid nineteenth century, the role of prisons in Europe and North America shifted from the custodial facility to institution for ensuring punishment, penitence, and correction of offenders. He also claims that in Nigeria, the first prison was

⁶²Paul Knepper and Sandra Scicluna, "Prisoners of the Sun: The British Empire and Imprisonment in Malta in the Early Nineteenth Century, Vol. 40, No.4 (2008), p. 515.

⁶³Sarkin, "An Overview of Human Rights in Prisons Worldwide, p. 13.

built in 1872. From that period, the prison in Nigeria adopted such new role.⁶⁴ However, Enuke fails to show how the prison as an instrument of punishment influences on socio-economic and political relation. Therefore this study attempted to investigate those aspects specifically in Zanzibar Protectorate.

The study conducted by Sarkin brings out the role of prison from the Africa perspective. His study describes political, economic, and social roles of colonial prisons. Politically and socially, prisons controlled political dissents and maintained colonial control over the occupied territories together with their indigenous population. Economically the prisons created a class of cheap labor for colonial agencies.⁶⁵ In spite of the fact that the study by Sarkin explains socio-political and economic role of colonial prisons of Africa in general, this study focused deeply on the same roles in Zanzibar.

The study conducted by Africa Watch Prison explains the role of prisons during the Apartheid regime whereby the prison system in South Africa was actively used for political purposes. In 1960s, a large number of prisoners were detained without trial. The report also analyzes various changes in prison legislation that affected three striking features of South African prisons, including the system of racial segregation, strict secrecy

⁶⁴ Enuke, "Humanizing Nigerian Prison through Literal Education", p. 18.

⁶⁵ Sarkin, "An Overview of Human Rights in Prisons Worldwide, p. 13.

surrounding prison matters and use of corporal punishment.⁶⁶ This study went further to examine other aspects of prison that shaped socio-economic and political relation in Zanzibar Protectorate.

Various studies on the history of penology in Tanzania describe the role of prisons in Tanzania in a different way. For instance, Williams shows that the colonial prison acted as economic institution that enforced African labour in colonial agriculture and public works.⁶⁷ The study of Tanganyika Law Society claims that despite prison administration reformed its policies, changes did not result into significant improvements partly because the prison policy remained fundamentally to serve as an institution of punishment and torture.⁶⁸ Kato deals with two roles of prison - retribution and rehabilitation- in post-colonial Tanganyika. He argues that post-colonial prisons failed to achieve these roles, since the prison institution is an artificial place that has no resemblance of the society at large.⁶⁹ The cited studies made significant contribution on the role of prison in colonial Tanganyika. However they failed to relate the contribution of such role in shaping socio-economic and political relation. Therefore, the present study examined the role of prison in the stated context.

⁶⁶ African Watch Prison Project, *Prison Conditions in South Africa*, p. 1.

⁶⁷ Williams, "The Role of Prisons in Tanzania", p. 29.

⁶⁸ The Tanganyika Law Society, "A Special Inquiry into the Situation of Prisons in Tanzania Mainland" (2009), p. 15.

⁶⁹ L.L. Kato, "Tanzania Innovation in Penology: Reconciling Contradictory Prison Objectives within the Context of an Overall Reconstructing of Rural Society," *International Review of Modern Study in Sociology*, Vol. 2, No. 1 (1972), p. 11.

Moreover, Said reports that colonial prison in Tanzania and in Zanzibar served to control crime as well as punish those who breached the colonial law and order. However, she claims that such philosophy changed to rehabilitation in post-colonial period, particularly in Zanzibar where the prison system changed to institutes of offenders' education. In addition, Knappert in describing the history of Zanzibar also touches the prison institution. Before Zanzibar became the Protectorate, he claims that the prison was used to arrest those who breached the law and order of Sultan Said.⁷⁰ Both Said and Knappert are convincing for this study because they touch on some aspects of history of prisons institution in Zanzibar. However, they missed detailed explanation on socio-economic and political role of prison. Furthermore, Said's claim on rehabilitative measures of post-colonial prison lacks articulation and evidence. Therefore, the present study sought to get detailed information on socio-economic and political roles of the prison.

Furthermore, B. D. Bowles shows how prison institution in Zanzibar was used by the colonial administration. The colonial prison is depicted as a political institution that repressed those who were against colonial government and its order.⁷¹ Said, Bowles and Knappert carried out separate studies on the history of prison institution in Zanzibar but none made rigorous and systematic analysis of the said institution. Therefore, the

⁷⁰ Jan Knappert, "A Short History of Zanzibar", *Annales Aequatoria*, Vol. 13, (1992), p. 28.

⁷¹ B. D. Bowles, *The Struggle for Independence 1946- 1963* in Abdul Sheriff and Ed Ferguson (eds.), *Zanzibar under Colonial Rule*, (Athens: Ohio University Press, 1991), p. 95.

present study intended to make further investigation and analysis on ways the colonial government operated prison institution as well as its socio-economic and political roles from 1890 to 1963.

1.6.3 Knowledge Gap

The presented literature review indicates that there is still room for historical study on colonial prison in Zanzibar. Firstly, there is scanty literature on the history of prison in Zanzibar, especially those carried out by local historians. The only study of the history of prison in Zanzibar was done by Longair who investigated the construction of the first prison at Prison Island.⁷² This study never investigated the operation and roles of prison in Zanzibar. Very few scholars of the history of Zanzibar, like Knappert and Bowles, were carried out. They only touched on prison writings as a small part of their studies.⁷³ Other studies done by historians and scholars of incarceration⁷⁴ in Tanzanian perspective largely provide the history of prison in colonial and post-colonial Tanganyika while they neglected the history of prison in Zanzibar. It is this reasons that this study was conducted because past scholars tended to generalize the history of colonial prison in Tanganyika and Zanzibar. Due to the disparities of cultures, people, and political institutions with different colonial experience from one colony to another, the history of colonial prison in Zanzibar needs

⁷² See Longair, *Colonial Zanzibar Imprisonment* <http://convictvoyages.org/expert-essays/colonial-zanzibar>

⁷³ Bowles, *The Struggle for Independence 1946- 1963*, p.95

⁷⁴ See David Williams, *The Role of Prisons in Tanzania: A Historical Perspective*, *Crime and Social Justice*, No. 13, Focus on Prison (1980), pp.27-38.

to be investigated to generate new knowledge and magnitude of history of African colonial prisons. Moreover, this study found that even the *Chuo cha Mafunzo* in Zanzibar has no documented history of its own.⁷⁵ Therefore, this study sought to do an in-depth historical inquiry into the way colonial government operated prison institution, and socio-economic as well as political roles of prison institution in Zanzibar from 1890 to 1963.

1.7 Research Methodology: Introduction

This section describes the methodological aspects of the study. It describes the research design, scope of study, population of study, sampling procedures, data collection methods, data analysis and presentation, ethical considerations as well as validity and reliability.

1.7.1 Research Design and Approach

This study employed exploratory research design. Burns and Grove (2003) define exploratory research as “research conducted to gain new insights, discover new ideas and/or increase knowledge of a phenomenon.”⁷⁶ Exploratory research was appropriate for this study since this is a historical study that needed to gain new ideas and increase knowledge of phenomenon under study by using qualitative approach through data collection as well as qualitative data analysis plan.

⁷⁵ Interview with anonymous respondent held on Zanzibar, 17/01/2018.

⁷⁶ Burns, N and Grove K, *Understanding Nursing Research*, 3rd edition (Philadelphia: Saunders Company, 2003), p. 313.

This study employed qualitative research approach due to the fact that it needed in-depth information to describe the behavior, life experience and feelings of people concerning understanding of the phenomenon under discussion. The rationale of using this research approach was based on the ability to obtain in-depth data from informants through their experience, knowledge and opinions that responded to objectives of the study.

1.7.2 Scope of the Study

This study was designed to investigate ways colonial government operated the prison institution and their socio-economic as well as political role in Zanzibar from 1890 to 1963. The study was carried out in Zanzibar Islands (Unguja and Pemba), because the prison institution under this study involved information from different parts in Zanzibar Protectorate. Some of the information was obtained in prisons located in different parts of Zanzibar islands. Secondly, there are rare studies on the history of prisons in Zanzibar as a British Protectorate that included Unguja and Pemba Islands. Therefore, missed information in Unguja was supplemented by Pemba prison information. For instance the researcher visited and got information concerning prison architectures from Old Forts in Unguja and Pemba and at Prison Island.

The period from 1890 to 1963 was selected because Zanzibar was then a British Protectorate. The first modern prison was established during the earliest period of British Protectorate. The study dealt with prisons under

British Protectorate that ended in 1963 when British ceased its control and submitted independence in Zanzibar during that period.

1.7.3 Population of the Study

Population included all knowledgeable people in the history of colonial prison in Zanzibar Islands such as historians, intellectuals who specialized in penology, retired prisons' officials, ex-prisoners and/or their family members and elders above 65 years old. Since this is a historical study, it needed oral historical facts from knowledgeable people who are familiar with type of information sought.

1.7.4 Sample Size and Sampling Procedures

The sample of this study was 25 informants. This sample was reached through saturation.⁷⁷ Because of the qualitative nature of the study, the researcher was not normally aware of the exact number of people in the research beforehand. The sample changed in size during research. Therefore, sampling went on until saturation was achieved. The study relied on the saturation approach, for it wanted to develop a rich narrative on phenomenon under study in respond to study objectives. The study used snowball sampling procedure. This procedure was useful because the researcher was not certain of the respondents who had enough and/or relevant data on the study; therefore, it was necessary to depend on the local people to inform whereabouts the knowledgeable informants. It was also

⁷⁷ Ranjit Kumar, *Research Methodology: A Step-by -Step Guide for Beginners*, 3rd edition (London: Sage Publication 2011), p. 213.

helpful since after interviews, the researcher asked the interviewees to identify others who were likely to have the required data.

1.7.5 Data Collection Methods

Primary and secondary sources were consulted in the collection of data. Primary sources included oral interview, field observation and archival information; while secondary sources included documentary survey from library, whereby books and journals were also used.

1.7.6 Data Collection Procedures

1.7.6.1 Oral Interview

This involved collection of oral information from various knowledgeable informants of phenomenon under study. They included historians, intellectuals of penology, ex-prisons and/or their families as well as elders above 65 years old. Semi-structured interview was administered using an interview guide instrument. The mentioned interview data collection method was selected on the ground that it was open for further clarification since the study needed in-depth information. The researcher prepared questions concerning the topic before actual interview sessions but they were relatively flexible according to how the respondents answered the questions. Also, interviewees were free to discuss their opinions on what they understand in relation to the subject matter. Information was recorded with the informants' consent in notebook and in the recorder device.

1.7.6.2 Field Observation

Field observation was employed to uncover data that were difficult to be obtained through oral interview. The researcher visited some of the prisons that were used during the period under discussion to get historical fact about the colonial prisons specifically on the aspect of architecture. During the field the researcher visited at Old Forts in Unguja and Pemba, Prison Island, and Central Prison (CP). The researcher saw the architecture of prisons and examined their width and length of cells and including ventilation.

1.7.6.3 Archival Sources

The archival data were obtained in the Zanzibar National Archive in Unguja Island, Department of Archives, Museums and Antiquities in Pemba (Pemba Old Fort) and National Archives in mainland Tanzania.

1.7.6.4 Library Sources

In this context, important libraries are the Library of the Zanzibar Indian Ocean Research Institute, Library of Zanzibar Museum, Library of Zanzibar University (ZU), Central Library in Unguja, Central Library in Pemba Island and the East African section of the main library of University of Dar es Salaam.

1.7.7 Data Analysis and Presentation

This study used qualitative data analysis. Data analysis began immediately after the first data were collected, although the process was modified throughout the study. The approach involves the thematic content analysis whereby the researcher firstly, transcribed the data specifically from oral

interview, then the data were coded into logical themes and later on, data from each theme were interpreted for the discussion and findings in order to make a coherent narrative in keeping with the research objectives of the study.

1.8 Reliability and Validity

Reliability is conceptualized as trustworthiness, rigor and quality in qualitative paradigm.⁷⁸ To ensure validity and reliability of this study, the researcher prepared the useful methods of data collection and pass through the skillful adepts like supervisor for further examination to examine clearly if they are appropriate for the intended data. Nevertheless, the researcher consumed the same proposed informants and areas expected to obtain the information without doing any transformation for the purpose of maintain its' validity and reliability. Lastly, triangulation of the data sources (primary and secondary sources) was employed. This assisted the researcher to make comparative analysis of collected data from difference sources before getting to conclusion.

In addition to that, only thing to ensure the validity of data from interview was the trustworthiness from the interviewees. This was achieved by adopting transparent research practices. The respondents were informed the important and aims of the study for the benefits of the generation of Zanzibar, and were given word that the collected information would be only

⁷⁸Nahid Golafshani, Understanding Reliability and Validity in Qualitative Research, *The Qualitative Report*, 8 (4), 597- 606 (Accessed on 27/01/2017) http://www.nova.ed/ssss/OR/OR_8-4/golafshani.pdf

used for academic purposes. Respondents were voluntarily participated in the interview. This enabled to remove fear from the interviewees. Therefore due permission of the respondents was taken and were assured of their anonymity in order to ensure free participation of the respondents in the study. Also in the process of writing the thesis, the Chicago style was used for the reference purposes. The study acknowledged the authorship, date and place of publication of the documents used for the study in order to ensure authenticity.

1.9 Ethical Considerations

Before starting the field data collection process, the study followed all necessary procedures and formalities for conducting research. The study approached the Directorate of Graduate Studies of the University of Dodoma for the Research Clearance, which provided permission to the researcher to access official document from archives and other places that were relevant for the study. In conducting interviews, interviewees were informed about aims and importance of the study in order to gain their confidence and cooperation. For convenience, this study did not encroach on informants' privacy. All pieces of collected information are kept confidential and were used solely for purposes of this study. Lastly, all informants were kept anonymous except for those who were ready to mention their names in the study.

1.10 Scheme of Chapters

This dissertation is organized into five chapters. Chapter one is introduction of the study. Chapter two describes development of prison institution and discusses how the colonial government operated the prison institution. Chapter three discusses the role of prison institution in shaping social and economic relations in Zanzibar Protectorate. Chapter four discusses the political role played by the prison institution. Chapter five provides summary of the study and conclusions derived from the findings.

CHAPTER TWO
OPERATIONS OF COLONIAL PRISON INSTITUTION IN ZANZIBAR
FROM 1890 TO 1963

2.0 Introduction

This chapter narrates the history of prison institution from 1890 to 1963. First, it analyses social transformation of Zanzibar and the system of colonial administration including development of prison institution in Zanzibar. It also explores ways colonialists operated the prison institution in such aspects as architecture and accommodation, health, provision of food as well as clothes and segregation of prisoners.

2.1 System of Colonial Administration from 1890 to 1963

Zanzibar consists of two main islands of Unguja and Pemba, and several smaller islets of Tumbatu, Chumbe, Misali, Changuu (Bawe), Kojani, Fundo and Kisiwapanza, among others.⁷⁹ The modern history of Zanzibar has passed through three significant phases.⁸⁰ The first phase started at the turn of first millennium and it involved early immigrants from the Middle East, South Asia, and Far East. Early migrants including Arabs, Persians, and Indians intermarried with the indigenous population and thus, such pattern gave rise to a distinct coastal community - Wapemba who are

⁷⁹ Michael Lofchie, "Party Conflict in Zanzibar", *The Journal of Modern African Studies*, Vol. 1, No. 2 (1963), p. 185. See also Hardinge, "Legislative Methods in Zanzibar and East Africa Protectorates", p.1, Newbury, "Colonialism, Ethnicity, and Rural Political Protest: Rwanda and Zanzibar in Comparative Perspective", p. 254. Clayton, "The General Strike in Zanzibar", p. 417.

⁸⁰ Lupa Ramadhani, "Identity Politics and Complexity of Conflict Resolution in Zanzibar", No.2 in Discussion Series, Pattern of Conflict Resolution (Dublin: Institution for British- Irish Studies University College), p. 2.

located in Pemba island, Watumbatu settled in Tumbatu Island located in the Northern part of Unguja Island, and Hadimu who lived in Southern part of Unguja island. Like in recent times, the indigenous people occasionally tended to punish their transgressors in various ways during that period. They included such punishments as whipping, tying the transgressors to logs and enslavement. However, scholars like L. Harries and W. Velten argue that there were neither chains nor prisons; wrongdoers were only tied in dark rooms during that period.⁸¹

The second phase involved the arrival of Portuguese in the 16th Century. Portuguese were the first Europeans to gain political control and remained in East Africa for almost two hundred years. It was the Portuguese who constructed Forts in East Africa and other coasts of Africa. In Zanzibar, they built Forts in Unguja and Pemba Islands. It is believed that the forts in Zanzibar and Pemba Islands were used as barracks, churches as well as prisons during a certain period or subsequently. In seventeenth and eighteenth centuries the Portuguese and Omanis struggled for control of East African coast.⁸²

The third phase involved Arab control of Zanzibar and East African coast in general in the late eighteenth century. After the departure of Portuguese in the seventeenth century, the Zanzibarians were for many years under

⁸¹ L. Harries and W. Velten, *Swahili Prose*, (Nairobi: Oxford University, 1965), pp. 69-70.

⁸² Sarah Longair, *Colonial Zanzibar Imprisonment 1880-1900*, <http://convictvoyages.Org/expert-essays/colonial-Zanzibar>.

nominal control of Arab hegemony.⁸³ From the beginning of the Nineteenth Century, the Oman commercial empire emerged dominant. Arab political control began to be extended over the indigenous population of Zanzibar during the reign of Seyyid Said bin Sultan (1804-1856), an Oman ruler of Busaidy family.⁸⁴ In 1832, Seyyid Said transferred his capital from Muscat to Zanzibar.⁸⁵ However, Zanzibar and Oman were separated in 1861 following succession of confrontations between two sons of Seyyid Said.⁸⁶ During that period, Zanzibar was essentially a commercial intermediary between the interior Africa and the capitalist world. Commercial activities involved slave trade, ivory as well as clove and coconut production. Seyyid Said encouraged the establishment of clove and coconut plantations, which flourished in the climate of Zanzibar islands. That led to massive immigration of Africans from mainland Africa, especially along slave routes towards the end of nineteenth century.⁸⁷ During that period the Omanis Arabs, South Asians and Europeans held political, financial and commercial control in Zanzibar.

Zanzibar's economic and strategic position made European powers, such as Britain and Germany compete vigorously. In the 19th Century, the British

⁸³ Catherine M. Newbury, "Colonialism, Ethnicity, and Rural Protest: Rwanda and Zanzibar in Comparative Perspective", *Comparative Politics*, Vol. 15. No. 3 (1983), p. 255.

⁸⁴ Newbury, "Colonialism, Ethnicity, and Rural Protest", p. 255

⁸⁵ Joseph Oloka-Onyango and Maria Nassali, eds. "Constitutionalism and Political Stability: The Search for New Vision", (Dar es Salaam: Constitution Centre, 2003), p. 9.

⁸⁶ The dispute ended with the succession of Seyyid Majid bin Said to the throne in Zanzibar while, Thuwayn bin Said became the Sultan of Oman.

⁸⁷ Ramadhani, "Identity Politics and Complexity of Conflict Resolution in Zanzibar", p. 2.

saw it necessary to safeguard her trade routes to India and therefore, enforced suppression of the slave trade. Finally, Britain remained the only European power with a well-established presence in Zanzibar. With approval of the Sultan of Zanzibar, the spheres of influence were agreed upon and Zanzibar was placed under British Protectorate in 1890. The Treaty of 1890 confirmed the Sultanate to the ruling Sultan and his successors. The British retained control of foreign affairs and remained responsible to the Foreign Office.⁸⁸ Though the Sultan was still ruling yet, Zanzibar was *de facto* the British colony. The British colonialists introduced a system of dual administration in Zanzibar. That is, Zanzibar was ruled by two colonial masters at the same time – the Sultan and the Consul General. The power of Consul General enabled him to introduce a number of internal reforms. Her Majesty's Agent and Consul General had the power to make regulations under Section 47 of 1897 Order in Council.⁸⁹ The regulations were made to ensure peace, order and good government of the British protectorate.⁹⁰ In 1905, the proposal for the reorganization of administration was made that included closer control and supervision of Zanzibar finance, department of agriculture, and judiciary matters. In 1913, the power of Sultan of Zanzibar was transformed from Foreign Office to the colonial office and the Consul General assumed the title and the position of

⁸⁸ Rainer Michael Bierwagen and Chris Maina Peter, "Administrative of Justice in Tanzania: A Comparison of two Judicial System in One Country", *The International and Comparative Law Quarterly*, Vol. 38, No. 2 (1989), p. 399.

⁸⁹ Arthur H. Hardinge, "Legislative Methods in Zanzibar and East African Protectorate", *Journal of the Society of Comparative Legislative*, Vol. 1, No. 1 (1899), pp. 9- 10.

⁹⁰ *Ibid.*, p. 9.

Resident.⁹¹ In 1926, the legislative and Executive Councils were formed in Zanzibar by Order in Council.⁹² Formation of the two bodies put the Zanzibar government in hands of the British Resident and required that no decree enacted by the Sultan would be effective without advice and consent of Legislative Council. The British Resident received his instructions from the Secretary of State for the colony in London and not from the Sultan. In theory, the British shared sovereignty with Sultan, but practically Zanzibar was dominated by British rule.⁹³ Influence of the British Agent/Consul was so powerful that he exercised a kind of indirect rule over administration in Zanzibar.⁹⁴ The Arab rulers of Zanzibar lost much of their autonomy.

Establishment of the Protectorate changed affairs of Zanzibar, including its administrative institutions such as the prison. The system of British administration changed the system of punishment of the Sultan whereby the eighteenth century forts in Zanzibar and Pemba were acted as prisons throughout nineteenth century. The British Agent was made responsible for supervising general administration of Zanzibar. The military and legal institutions were made part of the colonial state apparatus. They were introduced to control and supervise peace and order of the colonial government. These institutions included the army, police forces, legislative

⁹¹ E.S. Atieno Odhiambo, T.I. Ouso, and J.F. Williams, *A History of East Africa*, (Hong Kong: Sheck Wash Tong Printing Press, 1977), p.120.

⁹² Onyango and Nassali, eds. "Constitutionalism and Political Stability", p. 9.

⁹³ J. L. P. Thompson, "Denial, Polarization and Massacre: A Comparative Analysis" *The Economic and Social Review*, Vol. 17, No. 4, (1986), pp. 294- 5.

⁹⁴ Thomas Pakenham, *The Scramble For Africa 1876- 1912*, (Great Britain: George Weidenfeld & Nicolson, 1991), p. 286.

council, court, and prison. The police of His Highness the Sultan and His Majesty were charged with execution of colonial regulations and if any British Protectorate person contravened any of these regulations, he/she should, on conviction before a court, be liable to be punished with a fine that may extend to one thousand rupees, or with imprisonment up to two months.⁹⁵ Even though, Old Forts in Unguja and Pemba were used to imprison wrongdoers by Sultan, British authority considered fort as unfair for incarceration.⁹⁶ Therefore, the so called ‘modern prison’ in Zanzibar was established from 1890 with establishment of British Protectorate.

2.2 Origin and Development of Prison Institution in Zanzibar from 1890 to 1963

Archival information on history of prisons in Zanzibar and in several African countries mostly belonged to the colonial authority. This is due to the fact that indigenous people had little tradition of writing their own history may be because of government restriction or for their own neglect. In fact there are few or no private historical information in the Zanzibar National Archive on the origin of prisons in Zanzibar. Unfortunately, even the ‘Chuo cha Mafunzo’ (Institution of Education for Offenders) in Zanzibar has hardly any written document on the history of the origin of prison in Zanzibar.⁹⁷

The Kiswahili word for Prison is ‘Gereza’. It originated from the Portuguese’s word ‘Igreja,’ which means Church and thus, meaning radically different from that in

⁹⁵ Hardinge, *Legislative Methods in Zanzibar and East African Protectorate*”, pp. 9- 10.

⁹⁶ Longair, *Colonial Zanzibar Imprisonment*

⁹⁷ Interview with anonymous informant held in Unguja, 11/09/2017

Kiswahili. It could be due to the fact that the Portuguese housed the Church and Prison in the same buildings, which Kiswahili speaking people misconstrued. It is a known historical fact that the Portuguese established forts in Zanzibar and Pemba Islands to serve as a church, prison and barrack for the soldiers.⁹⁸

Before the construction of prisons in a modern form, the wrongdoers were punished in various ways instead of being imprisoned.⁹⁹ Oral source also revealed that before the introduction of modern prisons in Zanzibar transgressors were given archaic harsh punishments. A former worker of colonial and post-colonial prisons in Zanzibar asserted that transgressors were put in a closed furnace¹⁰⁰ - located at 'Kinu-cha Moshi'¹⁰¹ commonly known as 'Langoni- Kwa Sururu Village'- from sunset until the morning of the next day. He added that if ten people were kept in the furnace only one or two remained alive, the rest died.¹⁰² This and such other kinds of archaic sanguinary punishments were more or less supplanted by a new form of punishment known as imprisonment. As respondents remarked, the colonial administration claimed that they introduced prison to avoid local uncivilized

⁹⁸ Interview with Prof. Abdul Sherrif, held in Dar es Salaam, 05/10/2017.

⁹⁹ Interview with Mr. Mahamoud Yussuf (45), held at Weles Street in Zanzibar, 15/09/2017.

¹⁰⁰ That sugar mill was installed during the reign of Seyyid Barghash (Sultan of Zanzibar 1870-1888). See also, Zanzibar National Archive (ZNA) BA105/5, A Guide to Zanzibar 1952 (unpublished), p. 65. Interview with Mr. Dishoni Egal held at Kitundu in Unguja, 05/09/2017.

¹⁰¹ The name Kinu cha Moshi came from Swahili words "kinu" refers to small factory, "cha" as conjunction *of*, and "moshi" is smoke. The name was given to molasses factory which was built by Germans in that area. During production the factory released waves of smoke which made the people of the area to name it *Kinu cha Moshi*. Interview with Mr. Dishoni Egal held at Kitundu in Unguja, 05/09/2017.

¹⁰² *Ibid.*

punishment such as branding, bodily mutilation, slavery and so on. Surprisingly, they did not stop use of corporal punishment and capital punishments in the prisons.¹⁰³

Even though colonial rules established prison institution in Zanzibar, traditional practices of punishment did not stop. Until recent years, wrongdoers such as thieves and robbers had hands and other body parts mutilated, or fired upon or even killed by angry mobs. People who performed adultery or fornication (sex-workers) were slashed and even children were slashed when they misbehaved. Both colonial and post-colonial government prohibited people to take action in their hands and instead, they instructed them to take transgressors to the penal institution for trial and those found guilty were imprisoned.¹⁰⁴

Historical information discloses that wrongdoers and slaves were incarcerated in forts constructed by the Portuguese in Zanzibar. One informant from Department of Museum and Antiquities in Pemba said that the Chake Chake Old Fort, whose foundation was laid by the Portuguese in the 16th century and completed by Mazrui rulers, was the first prison in Pemba during 1800s.¹⁰⁵ The jail consisted of three remand rooms, one cell and a dining hall. It accommodated between twenty and twenty five inmates. According to the informant, the jail room consisted of inmates with various titles according to their terms of imprisonment, how they behave to

¹⁰³ Interview with Mr. Mahamoud Yussuf, held at Weles Street in Unguja , 15/09/2017

¹⁰⁴ *Ibid.*,

¹⁰⁵ Interview with Mr. Salim Seif Yusuf (57) held at Old Fort in Pemba, 25/9/2017, Mr. Abdulla Ali (65), and Mr. Khamis Ali (65) held at Old Fort in Unguja 23/09/ 2017.

their fellow prisoners and to the jail authorities. The environment within the prison cells was shocking. Life of the prisoners was miserable. Some of them were so shell shocked that they were reluctant to move out of the prison at the end of their terms. There were dilapidated beds, dark rooms with little ventilation and dung buckets in the cell. The size of cells was small about 12 by 12 feet for 20-25 inmates that could anyone with sound-mind to become distraught. All these violated the human rights of the prisoners.

Concerning offences committed during that period, the respondent recalled his late friend who was incarcerated in the jail by a murder case. He revealed that his friend was sentenced to imprisonment for murder in Chake Old Fort. In most cases, people were incarcerated for murder, alcoholism, adultery and breach of law and order. In that jail, the entry and exit dates of prisoners were written on their breasts.¹⁰⁶

In Zanzibar Island, the Old Fort at Forodhani - near Zanzibar harbor, was used as a prison throughout 19th century,¹⁰⁷ unlike that of Pemba Island where the prison shifted from one office to another until independence. A building served as prison in one time and as a barrack for soldiers in another. During the end reign of Sayyid Said, the Old Fort at Pemba was part of Chake Chake Hospital under the Department of Malaria in 1850s. In 1930, it became an office of Chake Chake Hospital. In 1980, it was under Ministry of Information. In 1984, it was under two

¹⁰⁶ *Ibid*,

¹⁰⁷ Sarah Longair, Colonial Zanzibar Imprisonment 1880-1910, <http://convivt.voyages.Org/expert-essays/colonial-Zanzibar>

ministries of Information and Women Affairs.¹⁰⁸ Now all Forts are under the Department of Museum and Antiquities under the Ministry of Information, Culture and Tourism.

Traditional prison existed in Zanzibar before it became a British Protectorate even though they were not in a modern form like that introduced in Europe and North America. African countries and in the world, in general, initially used prisons institutions for custody of people who were waiting for their punishment like slavery and deportation.¹⁰⁹ This claim was contrary to oral sources. Informants argued that the prison at any time was an institution of punishment even though they possessed various roles depending on the founders' interest. Let it be jail, dungeon, correction facility or other names, the act of incarceration refrained from the liberty of the real or alleged offender and this is a sort of punishment.¹¹⁰ This is open that what changed in the modern prison was only on architectures and administrators interests. This means that the same was in establishment of colonial prison in Zanzibar British protectorate whereby British authority used prison institution to achieve economic interests.

Sarah Longair asserts that the horrified condition within prisons was due to little ventilation in the fort that encouraged the British Government to

¹⁰⁸ Interview with Mr. Salim Seif Yusuf (57) held at Old Fort in Pemba, 25/9/2017, Mr. Abdulla Ali (65), and Mr. Khamis Ali (65) held at Old Fort in Unguja 23/09/ 2017.

¹⁰⁹ Enuke, "Humanizing Nigeria Prison Through Literal Education", p. 18

¹¹⁰ Interview with Mr. Salim Seif Yusuf, held at Old Fort in Pemba, 25/09/2017.

establish the first prison at Bawe (Changuu or Prison Island).¹¹¹ The historical data explain that Prison (Quarantine area) Island (See Figure 2.1) - half a mile long and one eighth of a mile wide - was formerly owned by an Arab and used as a private place of detention for recalcitrant slaves. The Island was bought by General Mathews and he constructed in 1893 a building in order to serve as Central Prison for Zanzibar.¹¹² Some of the documents¹¹³ and the administrative records of Changuu hotel, however, supply contradictory information that Changuu buildings were never utilized as prison. However, it seemed that Prison Island was under colonial Prison administration and was known as their prison up to the end of British Protectorate in Zanzibar.

¹¹¹ Longair, *Colonial Zanzibar Imprisonment 1880-1900*, <http://convictvoyages.org/expert-essays/colonial-Zanzibar>

¹¹² Interview with Mr. Kitwana Pili Kitwana (43) held at Prison Island in Unguja, 23/09/2017, See also ZNA BA 105/5 A Guide to Zanzibar 1952. H. L. Renwick, *A Guide to Zanzibar*, (Government Printer: Zanzibar, 1952) p. 53.

¹¹³ See Longair, *Colonial Zanzibar Imprisonment 1880-1900*.

Figure 2. 1: Prison Island



Source: Photo by Researcher

The annual report of treatment of offenders 1961 provides evidence on this score. The report shows that during this year (1961) Prison Island located three miles from the Coast of Zanzibar Island was reopened. During this period 217 prisoners were incarcerated on emergency basis. Such a situation implies that the Central Prison and Prison Camps were overcrowded with prisoners in such a way that prisoners were evacuated to Prison Island.¹¹⁴ Probably the large number of prisoners was a result of rebellious activities occurred after June election. In some reports (statistical report for Prisons of

¹¹⁴ ZNA GA1/2, Annual Report for Offender Treatment, 1952-1962.

Zanzibar for 1962), Prison Island was mentioned among prisons of Zanzibar Protectorate.

Even though Longair claims that the first Prison (Prison Island) was established owing to the bad condition of the Fort, yet the fact is that the colonial Prisons and even the post-colonial prisons in Zanzibar faced similar problems. This was confirmed during interviews with a former colonial prison worker who revealed that post-colonial prisons like that of Central Prison and Wete Prison have been in existence from the colonial period except for some minor repairs. He posited that they consist of cells of 10 x 12 feet.¹¹⁵ This is contrary to cells in the Old Forts which consisted of, according to information provided by oral informant 12 x12 feet.

The researcher also visited the prison island, Wete Prison, Central Prison and Old Forts of Unguja as well as Pemba and saw no difference in ventilation, the buildings and buildings themselves. All new prisons - the so called modern in Zanzibar - have the same image of that of Old Forts. Also sometimes the new prisons were overcrowded, a sort of inhumane condition, as witnessed by Sir John Kirk, Her Majesty Agent and Consul General in 1884.¹¹⁶ All Prisons have very small up window to the extent that it is difficult to allow natural light and air to enter inside (See figure 2.2).

¹¹⁵ Interview with Mr Dishoni Egal held at Kitundu in Zanzibar, 05/09/2017.

¹¹⁶ Sarah Longair, *Colonial Zanzibar Imprisonment 1880-1900*, <http://convictvoyages.org/expert-essays/colonial-Zanzibar>

Figure 2. 2: Prison Island Building



Source: Photo by Researcher

Scholars of African history such as Florence Bernault insist on this. Bernault posits that unfortunately this imported penal institution (prisons) in the colonies often resonated with pre-modern practice of captivity, imprisonment, and physical seclusion rather than follow the substantial alteration that occurred in Western prison model.¹¹⁷ This implies that the colonial prison institution - the so called modern institution- did not show

¹¹⁷ Bernault, *Politics of Enclosure in Colonial and Post- Colonial Africa*, p. 3.

any significant differences from the previous institution of punishment such as the Old Forts. In Zanzibar (Unguja) and Pemba Islands, there were and there are several prisons as seen in Table 2: 1.

2.3 Prison Architecture and Accommodation

Colonial regime in Zanzibar established prisons and camps in various parts of Zanzibar islands of Unguja and Pemba. Up to 1963, Zanzibar Protectorate had two prisons and three prison Camps (PCs).¹¹⁸ Two prisons were Central Prison (CP) at Kilimani (Kiinua-Miguu Prison) in Zanzibar and Wete Prison in Pemba. The PCs were at Langoni, and Kinu cha Moshi in Zanzibar and at Tibirizi in Pemba. The PCs of Kichwele and Pangani in Zanzibar, and Tibirizi in Pemba were closed at sometimes in different periods for economic interest, as can be seen in Table 2.1. Of these, two prisons (CP and Wete prison) and two camps (Langoni and Kinu-cha-Moshi) are still in use. However, other camps were established for short periods when there was need and then they were closed. The camps included Chwaka Camp, Mkokotoni Camp in Zanzibar and Weni Camp, Makondeni Camp, and Mkoani Camp in Pemba. Camps such as Mkokotoni and Mkoani were of unknown date. They were only mentioned in various annual reports such as annual reports of 1931 and 1932.¹¹⁹ Oral information revealed that Chwaka camp (a colonial prison camp) in the post-colonial period, is known as Hanyegwa-mchana prison. Establishment and demise of camps suggest that they were established to serve the economic interest of

¹¹⁸ See Table 2:1

¹¹⁹ ZNA BA49/1, The Annual Report on the Zanzibar Prisons, 1931 and 1932.

colonial administrators. Bernault asserts that forced labour was a frequent sentence that promoted colonial government to build prison camps entirely devoted to agricultural and public works.¹²⁰ This is evidence from location of all of these camps. All camps in Zanzibar protectorate were introduced in agricultural areas and most of camps were not permanent constructed with exception of Langoni and Kinu-cha- Moshi camps that are still in use.

The colonial government in Zanzibar Protectorate built two permanent prisons. CP– commonly known as Kiinua-Miguu prison- was a permanent concrete building situated one mile from the Zanzibar town. It had separate wards and yards. The CP was provided with electric light, waterborne sanitation by day (but buckets had to be used at night in the wards) and washing facilities. All cells were adequately ventilated, however, lights were not provided in the cells.¹²¹ There was a well-equipped infirmary standing in its own yard, containing twelve (12) beds.¹²² This implies inadequate facilities of colonial prisons specifically when the number of prisoner patients became high. In the report it is also argued that the CP was well built and accommodation was ample. There were spacious yards attached to various cell blocks, which provided segregation for various classes of offenders. The CP received all classes of prisoners. Accommodation was mainly of communal nature, but separate cells were available when required. Workshops were open and airy, and well lighted.

¹²⁰ Bernault , *The Politics of Enclosure in Colonia and Post- Colonial Africa*, p.13

¹²¹ ZNA GA1/6, *Treatment of Offenders Zanzibar Protectorate*, 1960.

¹²² ZNA BA61/5, *The Annual Report of the Visiting Justice Committee*, 1957.

Historical data show that there was a Lunatic Asylum attached to CP. The asylum was established in 1917.¹²³

Another prison in the British protectorate was located in Pemba. Wete Prison in Pemba was also a permanent concrete building situated on a bluff jutting out to the sea within Wete township. The Wete Prison had accommodation for forty two (42) prisoners with no possible classification, except for keeping convicted and un-convicted prisoners apart. The Prison had waterborne sanitation and washing facilities. It housed all prisoners of Pemba but retained only those with sentences of up to six (6) months. All others and also all difficult prisoners were transferred to Zanzibar. Medical facilities were available in the prison for minor cases but all others were dealt with at the Government Hospital.¹²⁴

For the specific purpose of influencing colonial economy, the colonial authority promoted establishment of prison camps. The colonial state established various camps on time of need. However, some of them seemed to flourish and some collapsed as seen in Table 2.1 due to economic reasons. The Prison Camps at Langoni and Kinu-cha- Moshi were built of permanent materials, but those at other three (3) Camps (Kichwele, Pageni, in Zanzibar and Tibirizi in Pemba) were of temporary construction and required a good deal of maintenance that was done by prison labour.¹²⁵ Some camps seem to survive almost for entire period of Zanzibar protectorate due its economic importance as can be seen in following chapters

¹²³ ZNA BA109/5, *A Guide to Zanzibar*, (Government Press: Zanzibar, 1952), p. 53.

¹²⁴ ZNA GA1/2, *Treatment of Offenders*, Zanzibar Protectorate, 1960.

¹²⁵ *Ibid.*,

Table 2. 1: Colonial and Post-colonial Prisons and Camps in Zanzibar.

Island	Prison/Camp	Year	Colonial/Post-Colonial	Exist/closed
Unguja	Old Fort	1830s	Colonial Prison	Closed
Changuu	Changuu Prison	1893	Colonial Prison	Closed but retains another function
Unguja	Central Prison	1911	Colonial Prison	Exists
	Chwaka (Hanyegwa-mchana) ¹²⁶	1912	Colonial Prison Camp	Exists
	Langoni	1938	Colonial Prison Camp	Exists
	Kinu-cha moshi	1940	Colonial Prison Camp	Exists
	Kichwele	1950	Colonial Prison Camp	Closed on 14/10 1962
	Pangeni	1954	Colonial Prison Camp	Closed
	Ubago	1972	Colonial Prison Camp	Exists
	Bumbwini	1977	Post-Colonial Camp	Exists
Pemba	Old Fort	1880s	Colonial Prison	Closed and retain another function
	Wete Prison	1910s	Colonial Prison	Exists
	Tibirizi	1930s	Colonial Prison Camp	First was closed on 23/08/1938 and reintroduced in 1956, was permanently closed in 1963
	Weni	1946	Colonial Prison Camp	Closed 1952 and retained another function
	Makondeni (leper colony)	1951	Colonial Prison Camp	Closed 1957 and becomes leper

¹²⁶ Chwaka camp was used in certain period of British Protectorate. During the post-colonial period it has been rebuilt and known as Hanyegwa-mchana Prison (1976).

building)				Camp
Tungamaa	1971	Post-Colonial Prison		Exists
		Camp		
Kengeja	1979	Post-Colonial Prison		Exists
		Camp		
Kangagani	1980s	Post-Colonial Prison		Exists
		Camp		

Source: The table compiled from various sources in archive and oral information.

Table 2.1 vividly shows that prisons in Zanzibar were first housed in the old forts throughout 19th Century and they were later developed during the Zanzibar British Protectorate and the post-colonial period in 20th Century. It also shows that some of colonial prisons and camps are still in use and some of them retain other functions.

The colonial government in Zanzibar established well equipped prison buildings with many facilities as shown in different archival sources. For instance, CP and Wete Prison were built in concrete form and even certain Prison camps were also in concrete form. It was concern of prison administration to ensure that prisons and camps were in good condition with frequent repair works.

On the contrary, the prisons and camps that were said to be good in condition soon after construction, show images of ruination and wracking owing to poor maintenance. This is evident in reports from the Unguja and Pemba Islands. During 1933 the roofs of several wards at CP leaked very badly whereby out of 18 cells in the Old Offenders' Ward only 9 were used.¹²⁷Not only that but also the reports insisted that tools used during execution of death sentence of prisoners such as

¹²⁷ ZNA GA6/1, Minutes from Meetings 1933-1940. See also Annual Report of the Visiting Justice Committee 1957.

portable gallows were in undesirable condition. Thus, more modern apparatus were needed in order to obviate the necessity of steps of its use at all as suggested by Superintendent of Prisons.¹²⁸ Another problem that seemed to be common in colonial architecture was poor infrastructure due to lack of maintenance. The problem of water supply and electricity was quite common in prisons as well as camps. Such condition led to many complaints from the prisoners and some prison administrators. This was evident at the CP and the Lunatic Asylum. There were frequent water problem. The prison and asylum used to run out of water for more than four hours daily.¹²⁹ This caused unsanitary conditions, and as a consequence, there was frequent eruption of infectious diseases like dysentery. In addition to that, in 1960 there was a report that showed that at Kichwele, Pangeni and Langoni, the condition was very poor and the buildings required considerable repair.¹³⁰

2.4 Classification and Segregation of Prisoners

The basis of any modern prison system, whether for treatment or for training of the offenders, is proper classification and segregation of prisoners at work and at accommodation. Commenting on importance of segregation of prisoners Barnes noted that, imprisonment at hard labour should be in cellular separation and thus created a modern prison system in its entirety.¹³¹ Until 1960 the method of classifying prisoners in colonial

¹²⁸ Ibid

¹²⁹ ZNA GA6/1, Letter from Superintendent of prisons to Attorney General (AG) Commissioner of Prisons, 1936.

¹³⁰ ZNA GA61/5 Report on Prison Administration in Zanzibar 1960.

¹³¹ Harry E. Barnes, The Historical Origin of the Prison System in America, Journal of the American Institute of Criminal Law and Criminology, Vol. 12, No. 1 (1921), p. 37

Zanzibar was unsatisfactory.¹³² Normally, as the colonial reports claim that the offenders should be segregated gender-wise -females from males-remands from convicted offenders, juveniles from elders' offenders as can be seen in Table 2.4. However, this form of segregation was contrary to the colonial prison in Zanzibar. As far as classification is concerned the prisons reports show that firstly all prisoners in colonial Zanzibar were classified into three categories as seen in Table 2.2. Then from each class of this category were segregated female from male offenders. For instance, the female offenders were classified into female young offenders, female star offenders and female ordinary class and the same applied for male offenders. In reality this was impossible due to shortage of accommodation compared to the number of offenders. The only possibility was segregation for female from male offenders partly because they were very few compared to male ones. Apart from that, the prisoners were accommodated on racial basis as set out in the prison laws of Tanganyika, Chapter (CAP) 58 of prisons. The same law applied in Zanzibar protectorate prisons. It states:

Cell equipment shall be provided in accordance with the scale set out..... the officer in charge shall allot to each prisoner such scale as is in his opinion most suitable to the prisoner's position in life.¹³³

¹³² ZNA GA1/2, Annual Report for Treatment of Offenders Zanzibar Protectorate 1960.

¹³³ ZNA Extract from the law of Tanganyika, 1947.

Table 2. 2: Categories of Prisoners in Zanzibar Colonial Prisons

1.	Young prisoners	17-21 old age
2.	Star class	First time offenders irrespective of length of sentence, including those previously convicted for liquor and other minor offences
3.	Ordinary class	All others not included in 1 and 2.

Source:Table compiled by researcher from various sources in archive.

Table 2.2 shows classes of offenders in colonial prisons in Zanzibar, whereby they were classified in to juvenile offenders, star class and ordinary class. Normally, prisoners were in three classes. From that law, this categorization implies that there were three groups of prisoners in each race- Africans, Asians and Europeans.

Like in the Cape Colony during the racial segregation (from 1880s onwards) and apartheid (officially started in 1948), colonial prisons in Zanzibar practiced racial segregation. Despite denying in openly that there should be no specific qualifications for allocation of classes for imprisonment, the report shows the allocation of different classes of diet, clothes and accommodation for prisoners. However, prison administration claims that allocation of different classes which were prescribed in the Prison Rules was made by the officer in charge of the prison in relation to the mode of life of the prisoner prior to his incarceration. Interview with one of the former workers of colonial prisons, who had the rank of warder, revealed that the colonial prison accommodation was determined by racial principles. This caused cells in the prison to be baptized in various names

that continue to the present days. For instance, the respondent remarked that at Central Prison “there were cells given the name ‘*Kumbakumba*’ (people who select or satisfied with anything no matter good or bad) for Africans and ‘*Kwa Waarabu*’ (for Arabs and for Asians)”.¹³⁴ The cells’ nomenclature implied presence of racial classification rather than that of prisoners being separated based on offences they committed.

In spite of having certain desirable qualities, the buildings meant for accommodation of juvenile offenders, lunatic criminals and female offenders were not properly arranged and were deficient in many respects. Even though record shows that there was in existence segregation for females, juveniles, remands persons, civil prisoners, convicted first time offenders and convicted recidivists, it was practiced only in CP when the number of prisoners was low. However, such kind of segregation was not possible in Pemba, except to keep convicted and un-convicted prisoners apart.¹³⁵ Normally, the prison- Wete prison- had accommodation for only 42 persons but most of reports show the additional number of prisoners at Wete prison.¹³⁶ Despite the opportunity of female offenders being separated from male offenders, they were the most victims in prison in Zanzibar. Colonial prison seems to be the institution for male offenders and neglected female offenders. Prison architecture did not provide privacy and dignity of female

¹³⁴ Interview with Mr. Dishoni Egal at Kitundu in Zanzibar, 05/092017.

¹³⁵ ZNA GA1/2 Annual Report of the Treatment of Offenders, 1960.

¹³⁶ *Ibid.*,

offenders especially during menstruation as can be clearly seen in the section that elaborated clothes and sanitation of prisoners.

Unlike the Africans, the Europeans enjoyed better food, accommodation and differed in clothes from the former. Africans were always the last in scale of treatment inside colonial prisons.¹³⁷ This implies that colonial prison institution in Zanzibar reflected British social attitudes of superiority over the African subjects. As documented by Jeremy Sarkin in his article, *African Prisons: An Evaluation from Human Rights Perspective*, the European regimes looked down upon the African people, for they were regarded as sub-human and uncivilized savages.¹³⁸ The colonial regime viewed imprisonment as insufficient punishment for Africa. In this regard, the sentence of imprisonment, where provided for, were usually associated with inefficient food and accommodation, forced labor, corporal punishment and capital punishment to suit the uncivilized African who were inferior in the sight of colonial regimes. It was contrary to the rare white prisoners who were exempted from such kinds of physical torture and forced labour. This was the implication of 'scales' in colonial prison administration which were set out in the Prisons Decree under the prisons (amendment) rule 27 and 28 of 1957. In most cases European prisoners were only incarcerated at CP. Prison rule 27 (1) and 28 (1) state that:

27 (1) There shall be three scales of diet for prisoners as set out in the first schedule.

¹³⁷ ZNA, Extract from the Tanganyika Standard, 30/04/1956.

¹³⁸ Jeremy Sarkin ed., *Human Rights in African Prisons*, (Athens: Ohio University Press, 2008), pp. 24-25.

28 (1) prison clothing and equipment shall be provided in accordance with the scales set out in the second schedule.¹³⁹

The colonial prison accommodation for juveniles was also insufficient even though it was proposed in various meetings to be improved to cater for various classifications of offenders. Classification of prisoners was not operated to any great degree in British Protectorate, except in Uganda where full classification was applied for some time.¹⁴⁰ It was proposed to establish the institutional treatment of young offenders. However, some prisons administrators did not agree of it based on the claim that there was no need for establishing it on the ground that it is costly to run owing to the small numbers of such young offenders who committed crimes in Zanzibar and thus, Tanganyika Approved School at Tabora was recommended for that purpose.¹⁴¹ Technically, the claim lacks concrete basis and was against the spirit of modern prison institutions as well as against the human rights. This is because the manner prison afforded to accommodate rare European prisoners in separate cell from African and not 17 young offenders who were admitted to prisons. In contrast, young offenders admitted to prison were waiting transfer to Approval School at Tabora, Tanganyika.¹⁴² The period of their detention varied from one week to three months. This period and number of offenders in prison could not be claimed very small. The juvenile should be prevented from contamination with adult offenders, least

¹³⁹ ZNA GA7/2 Prisoners Labour, 1958.

¹⁴⁰ ZNA GA1/2 Annual Report on the Treatment of the Offenders, 1960.

¹⁴¹ *Ibid.*,

¹⁴² *Ibid.*,

they would become more delinquent. In fact, the prison regime was not serious on the question of protecting the right of children, may be they were not productive as desired. However, in 1959, more recommendations were made for establishment of Remand Homes with minimum accommodation for 15 juveniles.¹⁴³ The institution could be used to accommodate juveniles on remand from Juvenile Courts while investigations were being made by the Probation Officer and the Police, and also those awaiting transfer to an approved School. But the recommendation for establishment of such institution during the colonial period in Zanzibar ended in thin air. It was during the post-colonial period, the young offenders' institution started its operation effectively.¹⁴⁴ The penal system was also supposed to keep separate remands for the juvenile convicts based on gender and age. But it was not practiced in most colonial Africa prisons, with the exception of segregation of females from males.¹⁴⁵ The colonial authority in Zanzibar Protectorate merely succeeded to separate populations racially and gender-wise. Also, the separation of females from males was dependent on the number of women prisoners. Always the number of female offenders in the colonial prisons was small compared to that of male offenders (Table 2.3). In Zanzibar Protectorate, women were incarcerated separately from men and often wardresses were used to supervise them. Even the female visiting

¹⁴³ *Ibid.*,

¹⁴⁴ Interview with Mr. Ameir bin Ameir Soud held at Jugakuu Bwejuu, in Unguja, 09/09/2017.

¹⁴⁵ ZNA GA1/2, Annual Report of Treatment for the offenders, 1961.

justices were selected by the colonial authority for inspection of women offenders.¹⁴⁶

Table 2. 3: Classification and Segregation of Prisoners on Gender Basis.

	Male	Female	Total
1. Young offenders	135	2	137
2. Star class	794	24	818
3. Ordinary offenders	563	3	566

Source: ZNA, Annual Report of the Offenders 1961.

Table 2.3 shows the disparity of segregation and classification of offenders between female and male. Number of prisoners determined segregation of female offenders from male offenders. It implies that it was possible due to the small number of female offenders in the colonial prisons in Zanzibar as seen from this table.

Mental health patients (lunatics) facility was another element of colonial prison institution. Criminal and civil mental health patients were confined in a small Lunatic Asylum adjoined to the CP.¹⁴⁷The Asylum was opened in 1917.¹⁴⁸ It was the only lunatics' asylum to be established at Central Prison in Unguja Island. In Pemba, there is/was no such kind of shelter in prison or other places. Therefore, all mental patients whether civil or criminals were held in Wete prison, while they were examined by the medical officers, and

¹⁴⁶ ZNA GA5/3, Annual Report for the Treatment of offenders, 1960.

¹⁴⁷ G.H. Shelswell, *A Guide to Zanzibar*, (Zanzibar: Government Press, 1952), p.67.

¹⁴⁸ *Ibid.*, p.53. See also Amina Amer, *From Stink bar to Zanzibar: Diseases, Medicine and Public Health in Colonial Zanzibar, 1870-1963*. PhD Dissertation, University of Kwazulu, Natal, 2009 p.194

if found to be mentally defective, they were transferred to lunatic camp at central prison and the Mental Hospital that was established later in Zanzibar.¹⁴⁹

This means that before establishment of Mental Hospital in Zanzibar mental health patients, who were incarcerated in Wete Prison were transferred to the Lunatic Asylum at CP in Zanzibar. It seems that such situation was embarrassment to prison staff, for suitable accommodation was unavailable for them in the prison. More than 50 such persons were admitted to Wete Prison a year.¹⁵⁰ However, the prison administration provided the same argument like the juvenile offenders that the number of lunatics was too small to justify special arrangement for them in Pemba. Owing to lack of a single cell accommodation in that prison, lunatic patients were confined in association cells by themselves. Such circumstance resulted in overcrowding of convicted prisoners.¹⁵¹

In Zanzibar Island, after establishment of Mental Health Hospital (MH), usually prisoners of unsound mind were sent direct to (MH) and did not enter the prison with exception of Lunatic criminals who were transferred to Mental Hospital as soon as the arrangement could be made.¹⁵²

¹⁴⁹ ZNA GA5/3 Annual Report for the Treatment of Offenders, 1960.

¹⁵⁰ ZNA GA1/2 Annual Report for Treatment of Offenders, 1962.

¹⁵¹ *Ibid.*,

¹⁵² ZNA GA5/3 Annual Report for Treatment of Offenders, 1960

Generally speaking, the colonial prison institution in Zanzibar and Africa in general did not target the Mental Health Patients as justified by some of the colonial authorities. For instance, William Slater (Member of Visiting Justice in Tanganyika) remarked that the prison was not a suitable place to confine lunatics on the ground that lunatics caused a disturbance in the prisons at any time their tempers became frayed. That circumstance interfered with discipline and prisons activities. Slater recommended that mental health patients should not be accommodated in prisons or escorted in custody when they were sent to hospital.¹⁵³

In addition, archival and oral sources showed that prison officials lacked training in psychiatry.¹⁵⁴ The prisons lacked proper care and accommodation to such kinds of criminals. However, before the establishment of MH, if there was a shortage of accommodation, even lunatic criminals were confined in communal cell. Even though the prisons regime suggested categorization of offenders as seen in Table 2.4, mental health patients were neglected. The situation of keeping lunatics in communal cell revealed that prison administration neglected human rights of the prisoners.

¹⁵³ Tanzania National Archive (TNA) 828/1938-1942 AG. Chief Secretary to Director of Medical Service (DMS), 1938.

¹⁵⁴ TNA 828/1938-1942 AG. Chief Secretary to DMS, 6/5/1938.

Table 2. 4: Suggested Categories of Offenders in colonial prison in Zanzibar

1	Female
2	Juveniles
3	Civil prisoners
4	Convicted first offenders
5	Remand person
6	Convicted recidivists

Source: ZNA, BA61/44, Annual Report of the Treatment of the Offenders, Zanzibar Protectorate (1958).

Presented categories in Table 2.4 signify that lunatics were an excluded category in the prison confinement. Despite that suggestion by the prison administration, accommodation did not allow segregation of other offenders according to the categories in Table 2.4. Among these categories presented in Table 2.4, only females were separated from male offenders.

2.5 Colonial Health Services and Hygiene in Zanzibar

Prisoners' health was of some concern to the prison administration in the colony, for the colonial government in Zanzibar had framed certain laws concerning the health of prisoners. The Prisons Decree (PD) authorized the Medical Officers to visit the prisons at least once a week, investigate the sanitation of prisons and make regular visits to prison camps.¹⁵⁵ In order to improve the health condition of prisoners, a full time Hospital Assistant was attached to the CP. Despite the best intentions of the colonial regime to improve the hygiene and health condition of the prisoners, as evident from

¹⁵⁵ ZNA GA 6/7 Appointment of Prisons Visiting Committee and Prisons Visiting Justice

the colonial administration reports, the real situation remained unchanged. The prisoners, in general, had many complains on their health and hygiene. The respondents attested to it by stating that hospitals were introduced only at CP in Zanzibar Island and at Wete Prison in Pemba Island, the PC had only dispensaries attached to them.¹⁵⁶ Furthermore, the hospitals in CP and Wete Prison were inadequate. All serious cases were sent to Government Hospital due to shortage of either proper medicines or professional doctors.¹⁵⁷

In addition, the prison reports claimed that health officers visited the prisons frequently. This claim seems debatable owing to the fact that the prisoners complained of ill health. Several complaints from the prisoners indicated that prisoners were victims of various diseases that erupted in the prisons. The prisoners claimed that the dispenser who lived four and a quarter (4¹/₄) miles visited hardly twice a week.

This shows that the colonial prison administration did not pay sincere attention to prisoners' hygiene as well as health and thought it could tackle such matters by visiting prisons casually twice a week. Therefore, one can conclude that prisoners' health during the colonial period was far from satisfactory. Despite introduction of PD in colonial Zanzibar, the program of health officers/dispensers' visit to prisons and investigate the prisoners' health was not done regularly. Besides, infirmaries were characterized by

¹⁵⁶ Interview with Mr. Dishoni Egal held at Kitundu in Unguja, 05/09/2017.

¹⁵⁷ ZNA GA5/3, Annual Report of Treatment of Offenders of Zanzibar Protectorate, 1961.

poor infrastructures and shortage of professional workers. Thus, the colonial prison institution faced the problem of spread of infectious diseases aggravated by lack of early treatment of patients in prison. The diseases such as hernia, ulcers, dysentery, pulmonary tuberculosis (T.B), diarrhea, chickenpox, leprosy, malaria, acute bronchitis, influenza, anemia, schistosomiasis and hookworm were common in colonial prisons and camps.¹⁵⁸ Many, if not all diseases were contributed by the unhealthy environment of prisons and camps as well as the poor infrastructures inside such inadequate architectural structural patterns.

In general, health and hygiene mainly depend on the environment that surrounds human being. When the environment is unsanitary, it takes its toll on health. Generally, the inside and outside environment of colonial prisons in Zanzibar was poor. The report shows that the cells were the breeding place for bedbugs. There were frequent complains that reported beddings were infected with bedbugs, which made prisoners unworthy for sleep. These bedbugs were the cause of the skin disease for prisoners. It was suggested there should be frequent inspections from the Health Department and that Dichloro-Diphenyl Trichloroethane (D.D.T) should be supplied to prisoners who should spray themselves every day before retiring to bed in order to get rid of bugs from their beddings and from the dormitories in

¹⁵⁸ ZNA, GA7/3, Annual Report of the Medical Officer in Charge, Zanzibar Central Prison, 1957. See also ZNA BA61/5, The Annual Report of the Prisons Visiting Justice Committee, 1957.

general.¹⁵⁹ Despite such suggestion, bedbugs were common in the colonial prison buildings due to dirty environment.

On the side of prisoners, soap was very important in order to get rid of dirtiness. The archival and oral sources claim that the colonial prisons provided soaps for prisoners, off course insufficiently. Sheikh Kassim Hafidh (member of Prisons Visiting Justice) reported that prisoners complained the soaps issued to them to wash their clothes were insufficient.¹⁶⁰ This implies that the dirty condition of their bodies and clothes, the cells and buildings, in general, were causes of bedbugs and frequent eruption of various diseases in prisons and camps in Zanzibar.

Table 2. 5: Common diseases in Colonial Prisons in Zanzibar

Cases	1957	1956
Dysentery	13	26
Leprosy	9	10
Schistosomiasis	141	109
Hookworm	293	53
Pulmonary tuberculosis	5	3
Malaria	27	6
Influenza, Bronchitis, P.U.O, (Pyrexia of Unknown Origin)	139	137

Source: ZNA, BA61/5, Annual Report of the Medical Officer in Charge, Zanzibar Central Prison (1957).

Table 2.5 shows common diseases that erupted frequently in colonial prisons in Zanzibar Protectorate.

¹⁵⁹ ZNA GA 6/7 Appointment of Prisons Visiting Committee and Prisons Visiting Justice, 1957

¹⁶⁰ *Ibid.*

2.6 Provision for Food, Clothes and Utensils in the Colonial Prisons

Normally, it was concern of prison administration to provide food, clothes and other utensils for prisoners. Historical sources show that colonial prisons in Zanzibar provided food and clothes for prisoners. Like the issue of accommodation, diet and clothes relied on racial segregation. Even though the sentence of imprisonment for European prisoners happened rarely, the colonial administration established three scales pertaining to food and clothes such as scales I, II and III for Europeans, Asians and Africans, respectively. European prisoners enjoyed high quality and adequate food compared to African prisoners. Food for Africans cost 1.12 shillings (Sh.) per day, while European prisoners cost 2.22 Sh. per day. Even though European prisoners were more or less in prison the cost of food seemed twice over the cost of the huge number of African prisoners.¹⁶¹

All prisoners in Zanzibar Protectorate were required to put on uniforms. Concerning the issue of clothing, the trousers, shirts, jumpers, hat or cap were used as uniforms but on racial lines.¹⁶² However, the prison administration argued that such clothes were given to anyone who needed them in accordance with requirements of his/her religion or custom. Muslims as indicated in the records were supposed to cover their knees. In tune with the climate of Zanzibar, Europeans preferred to wear shorts instead of trousers. Therefore, they were provided with shorts, shirts with collars and peak cap. Fortunately, shirts were made of the same materials used for the jumper. It seems that colonial administration saw no such difference because people did not

¹⁶¹ ZNAGA7/1 Dietary Scale for Prisoners, 1953.

¹⁶² *Ibid.*,

object to either style being used. Probably what mattered was not the people's choice but the system of classification of prisoners not on the basis of offence committed but on racial lines. There were no reasons every prisoner did not wear the same uniforms. The reason that Muslims were supposed to cover their knees was not obvious and basic reason for differences in clothing, since only the Europeans chose to wear shorts. Evidence shows that there were merely a few of them in the colonial prisons or even in post-colonial prisons. For that reason, many questions were raised on racial scales on food and clothes served to prisoners. Both prisoners and visitors wondered as to why there were differences in diets and clothing for Africans, Asian and Europeans serving their sentences in His Highness Prisons.¹⁶³ The scale of clothing for Europeans, Asians and Africans was laid down in Rule 28 of the Prisons rules of 1933. The Honourable Chief Secretary replied;

Distinction between scales of clothing for different races have existed for at least 40 years, the reason was presumable differences of custom in the matter of dress. Consideration is being given to the possibility of devising a uniform scale of prisoners' clothing, which would be suitable for member of all races.¹⁶⁴

Colonial prisons in Zanzibar provided food for prisoners. However, food was also provided based on scale as it will be presented later. The same scales as applied in clothes and cell equipment were used in diet. Normally, Africans were relegated to the lowest grade corresponding to their inferior social status as regarded by the colonialists. Such type of segregation was

¹⁶³ ZNA GA7/4, Legislative Council Meeting; This was a question from Hon: Rashid bin Hamad, the Shirazi member of Legislative Council 1955 from Pemba, and Hon: Ameir Tajo, the Shirazi member of Legislative Council in Unguja.

¹⁶⁴ ZNA GA7/4, Legislative Council Meeting, 1955.

confirmed by oral informants who attested that the African prisoners were provided with substandard and inadequate food.¹⁶⁵ Archival sources show that there were frequent complaints from prisoners on food to the prisons authority. For instance, one of the prisoners during inspection by the members of Prison Visiting Justice requested the administration to make arrangement for food to be cooked shortly before sunset so that the food should remain hot during eating instead of getting it cold. The complaint was specifically by the Muslims during the month of Ramadan. This indicates that food that was prepared for lunch provided to Muslims during the month of Ramadan to eat after sunset.¹⁶⁶ Surprisingly, the prison administration, which seemed to favour the Muslims on the issue of clothing, did not listen to their special needs on the dietary scale. In due regard, the Prisons Commissioner claimed that it was impossible to cook meals to suit prisoners' convenience.¹⁶⁷ The report from colonial administration seems to have contradiction. While Prisons Commission claimed that it was not possible to cook meals to suit each prisoner's convenience, they also set up the food scale to suit the standard of living and mode of life of Europeans. It smacks off the colonialists mindset that treated Africans as inferior in standard and status compared to that of Europeans. To justify this, Superintendent of Prisons gave bizarre reasoning that the higher standard of food increases crime rate.¹⁶⁸ He meant that if the

¹⁶⁵ Interview with Mr. Dishoni Egal held at Kitundu in Unguja, 05/09/2017.

¹⁶⁶ ZNA GA7/3 Visitation of Prisons, 1953.

¹⁶⁷ *Ibid.*,

¹⁶⁸ *Ibid.*,

Africans were to be provided with better food in the prisons, they would prefer to have life in prison rather than outside and therefore they would commit crimes.

Because of differences in living standards, prisoners were racially stratified. The question can be posed here, why all and only African prisoners came from low living standards and hence, were put in low scale? The Superintendent of Prisons (SP) put considerable argument on the question of food scale such that he claimed that if the prisoners were provided with the food of higher standards in prisons it may lead to an increase in crimes.¹⁶⁹ This does not imply that there was no racial segregation; unless there should be uniform scale in treatment of prisoners. The argument implies the punitive function of prisons, as justified by Daniel Branch. He found that unhealthy condition, poor diet and corporal punishment were common in African Colonial prisons.¹⁷⁰

Typically, the colonial prison institution largely aimed at suppressing the African prisoners who were regarded as a delinquent race. Hence the colonial prisons were largely governed by the doctrine of domination over Africans who were seen by the colonialists an inferior race.

Colonial reports mention certain facilities that were provided to prisoners. But such facilities were not provided freely. A prisoner was allowed to use a facility if he/she was accustomed to use and provided they are clean and not shabby. They included socks, shoes and towel. Other articles such as

¹⁶⁹ *Ibid.*,

¹⁷⁰ Branch, "Imprisonment and Colonialism in Kenya C. 1930-1950, p. 241

mattress and bedstead were seen as important by prisons administration, but they claimed, it was difficult to allow everyone to have such articles due limited facilities. African jails lacked double bunk beds as used in European countries. The colonial government also feared that such things would entail heavy expenditure. At the same time, they thought that it was difficult to refuse privilege to Europeans who never sleep on floors. The European view on the colonial prisons smacked off their feelings of superiority complex over their African subjects. Thus, colonial regimes often designed institution like prison to suit their desires and not their subjects. Unlike blacks the white enjoyed the privileges in the colonial prisons.

Other materials in the colonial prisons were provided in cell, as seen in the prison administration reports. Anyone was allowed to use mosquito net, however, the Superintendent of Prison anticipated some practical difficulties because everyone would bring a net of different types and size so they would lose uniformity. As the hospital only provided mosquito nets to paying wards, prisons administration suggested that the nets should be available for sale in prisons and prisoners who wished to buy them should be able to do so. They could either re-sell them on release or take them home. Such aspect largely concerned the inmates incarcerated in CP.¹⁷¹ Thus, the inmates from PCs were occasional victims of malaria due to the tropical climate of Zanzibar.

¹⁷¹ ZNA GA7/3 Visitation of Prisons, 1953,

Prison's reports also mentioned articles such as sheets, cups or tin mugs for all inmates. Other equipment such as spoons, forks and knives were specifically provided only for European prisoners on the ground that they were given sugar in their ration so they were expected to use spoons while in addition with forks and knives for eating their meals. The annual reports on the treatment of offenders show that the prison administration suggested uniform clothing for every prisoner. It was suggested that prisoners should have also two gowns (for female), one sleeping mat, one pillow, one plate, and two knickers (for females).¹⁷² However, the fact was contrary because there was not uniformity in dressing for the offenders. Colonial prison services were racially oriented.

The written sources show different views on the issue of articles provided for prisoners such as mattress, sheets, pillow and so forth. One scholar claimed that he was a victim of imprisonment soon after Zanzibar Revolution. He exposed conditions in the prison at Kiinua Miguu. He claimed that they were given "kirago" (a rug), two sheets and a tin mug during his detention. The same tin mug was used for drinking water and porridge as well as for toilet.¹⁷³ Even though the prison administration suggested many articles and materials to be provided for prisoners, it merely decorated pages of colonial reports. The report did not assure availability of all mentioned materials. The situation in prisons soon after Revolution of January 1964 reflected the condition of colonial prisons in term of its operation. All these point to colonial heritage that treated prisoners shabbily

¹⁷² ZNA GAI/2, *Annual Report of Treatment of Offenders Zanzibar Protectorate, 1959.*

¹⁷³ Aman Thani Fairoz, *Ukweli ni Uhuu*, (Dubai: United Emirate, 1995), p. 74.

in general but neglected the Africans prisoners in particular. In reality, the colonial prison provided more or less services for prisoners specifically African inmates.

All in all, the colonial prison did not show any interest on female offenders' sanitation. Contrary to male offenders, social norms need some sort of privacy for a woman in order to preserve her dignity. The Prison administration lacked proper care for female offenders who needed sanitation and privacy especially during menstruation. It seems that colonial prison rules neglected female offenders. All scales of clothing and equipment of offenders set out in rule 28 from second schedule did not identify female clothes and equipment.¹⁷⁴ Amongst the facilities provided for female offenders, colonial prison did not provide pads or special towels for women that would enable them to manage their periods. It means that the colonial authority did not care for conditions of female offenders and thus, they became more victims of colonial prison. This justifies that colonial prisons as state apparatus were introduced not to satisfy the African population but to manage the common affair of colonial authority as Marxist theory of state contends.

Generally speaking, racial operation of colonial prisons in Zanzibar can be seen from the intention of colonial authority. The colonial authority set out three scales concerning food, clothing and other equipment for European, Asian (Arabs and Indians) and African prisoners. Even though the number of Europeans preceded by Asians was fewer, normally it was Africans who

¹⁷⁴ See prison (Amendment) Rule 28, second schedule, 1957.

were placed in the lowest grade on account of their living standards they came from. That situation raised many why from Tanganyika and Zanzibar's Legislative Council.¹⁷⁵

One can conclude that colonial prison institution did not supplant previous forms of punishment in Zanzibar society that existed before 1890 such as corporal punishment and death sentence. Colonial prisons had poor infrastructure that led to overcrowding and eruption of infectious diseases to prisoners. Moreover, prison architecture and services were unfriendly for female offenders and neglected their dignity. Colonial prison institution in Zanzibar, like in other colonial African prisons, were operated on racial lines in aspects of architectures, provision of accommodation, health services, food and clothes whereby they significantly aimed at justifying colonial superiority complex over Africans to fulfill their economic needs as shall be seen in the following chapters.

¹⁷⁵ ZNA Extract from the Tanganyika Standard,30/ 04/1956,

CHAPTER THREE

ROLE OF PRISONS IN SHAPING SOCIO-ECONOMIC RELATIONS IN ZANZIBAR FROM 1890 TO 1963

3.0 Introduction

In this chapter, the researcher describes socio-economic relations shaped by the prisons in Zanzibar from 1890 to 1963. It shows the role of prisons in economic as well as in social setting. Socially, colonial prisons aimed at creating a white master and black servant relationship through racial segregation. Economically, prisons served as institution of punishment that aimed to control and subjugate African population in order to fulfill financial and economic interest of colonial rule.

3.1 Role of Prisons in shaping economic relations in Zanzibar from 1890 to 1963

The prison is an institution clearly related to private as well as public profits. Corporations and governments made huge profits from prison construction and from provision of contracted services to prisoners. From the 17th Century in Europe, corporations were profited by charging fees for admittance, discharge, food, water, and lodging.¹⁷⁶ In the case of Zanzibar, prisons were the colonial state institution. To fulfil the colonial economic demands of colonial empires, the prison regime established various strategies such as convict labour and prison camps.

¹⁷⁶ James Austin and Garry Coventry, "Emerging Issues on Privatised Prisons", *US. Department of Justice/Bureau of Justice Assistance* NCJ, (2001), p. 9.

Convict labour was an important aspect of colonial prisons in Zanzibar. Normally, convict labour had a tripartite role. The convict labor includes such dimensions as punishment, reform of prisoners as well cost-reduction of punishment.¹⁷⁷ Despite the fact that the prisons institution in the world, in general and Africa, in particular played a similar role, those in colonial Zanzibar played more as an institution of punishment and cost-reduction of punishment rather than reformation. As a means of punishment, the prisons regime in colonial Zanzibar established convict labor largely for its financial and economic purposes like other parts of colonial African territories.

As a cheap form of punishment, the convict labor acted primarily as rehabilitative measures that not only reduced expenditure of colonial government on prisoners but also accrued economic benefit to the colonial state. This implies that rehabilitation was a tactic that made prisoners source of labour. Similarly to that, Sherman asserts that across the European empire, the prison institution were often characterized by a form of convict labour that was designed to cater for needs of colonial government rather than the society's needs.¹⁷⁸ For that reason, in the case of Zanzibar protectorate, all convicted prisoners as well as all un-convicted prisoners

¹⁷⁷ Taylor C. Sherman, Tensions of Colonial Punishment: Perspectives on Recent Developments in the Study of Coercive Network in Asia, Africa and the Caribbean. *History Compass*, Vol.7, No. 3, (2009), p. 3.

¹⁷⁸ *Ibid.*,

were required to work.¹⁷⁹ But the role of convict labour varied from one colony to another, depending largely on the physical magnitude of the penal colonies and the interest of colonial regimes. In fact, large prisons and camps tended to employ a high percentage of convict labor on a wider range of duties. The colonial state in Zanzibar used two prisons and several camps significantly to improve the colonial economy. This implies consequence of mass imprisonment on the labour market. The beginning of the colonial prison in Africa coincided with de-industrialization and unemployment. Sometimes as jobs lost, low-skill workers had become less economically useful as wage labourers. The prisons absorbed some low-skill workers as prisoners, others as guards or service workers due to unemployment.

Generally, in African territories such as Zanzibar, the issue of unemployment had an effect on the system of penal institution. Prison population increased due to the increase in crimes caused by unemployment. This was evident in the prison reports. The report postulates that there was an increase in crime in the protectorate and no doubt due to general increase in unemployment and slump in the clove industry.¹⁸⁰ The report claims that a large number of those convicted were from mainland territories of Africa and they had gone to Zanzibar to seek employment in clove plantations.¹⁸¹ The convict labour was seen as the significant feature to reduce

¹⁷⁹ZNA GA5/3 Conferences of Prisons Commissioners, 1952-1953; Conference on the Treatment of the Offenders 1953 addressed from secretary of state to British Resident, 1953.

¹⁸⁰ZNA GA5/3 Annual Report for the Treatment of the Offenders, 1960

¹⁸¹ *Ibid.*,

the cost of colonial government expenditures on the prison institution. Prisoners provided labour in prisons as well on public works.

The letter from the Commissioner of Prisons in Zanzibar Protectorate explains on prisoners' routine for a day to justify proper and well implication of convict labour. Prisoners woke up at 5:00 pm. The labour hour for them started at 6:30am and ended at 3:00pm. After having lunch in the evening the prisoners participated in different activities inside the prisons and camps, while the lockup time was 6:00pm when prisoners went in-door for sleep.¹⁸² This shows the importance of convict labour on the economy for the imperialist world.

Building prisons and camps had become a key economic development strategy in many areas of Zanzibar Protectorate. Governments use prisons spending as an economic stimulus to regulate cycles of capitalism. Other interest groups such as prison guards (and their unions), local police departments and social service agencies had also become dependent on flow of government money through the prison economy. All prisoners population in the British Protectorate – Europeans were exempted – became convict labourers in order to achieve the goal of colonial prisons. The colonial state increased the prison camps in rural communities specifically to promote the agricultural activities. Not only were those but also in the central prison in Zanzibar and Pemba, the prisoners were employed in carpentry and tailoring. That is to say, the prison industries from carpenters, shoemakers, tailors, making string, plaiting coconut leaves and agricultural activities benefited the

¹⁸² Fairoz, "*Ukweli ni Huu*", p .93. Interview with Mr. Dishoni Egal held at Kitunda in Unguja, 05/09/2017. Interview with Mr. Ameir bin Ameir Sudi held at Jugakuu Bwejuu in Unguja, 09/09/2017.

colonial government as discovered in the archival reports. The Prison Department manufactured garments (uniforms) for approximately 18 government departments, therefore the prisons department claimed that they saved the government 1800 pounds per year.¹⁸³

The colonial prisons and camps had a full day's work and always enough work to employ them. According to prisons administration, such work should be useful, constructive and as far as possible, designed to help prisoners to earn their living on discharge.¹⁸⁴ The prison administration reports show that prisoners were employed inside or outside the wall of prisons and prison camps, depending on the prisoners' sentence either in hard labour or simple labour. Besides, gender of the offender was taken into account on employment of prisoners. Usually female prisoners in colonial Zanzibar performed their duties inside the prisons. Even though the prison administration furnished the colonial prisons reports, they were contrary to the African historiography of prison institution that clarifies that the colonial government introduced the so called modern prisons for their economic benefits. It was such economic importance of colonial regime that generated the curiosity of colonists to reinforce expansion of camps in various parts of Zanzibar and Pemba islands.

David William indicates that one of the functions of the colonial prison institutions in Tanganyika was to provide the large pool of labour for

¹⁸³ ZNA GA5/12, The letter from Prisons Commissioner to the Secretary, 1961

¹⁸⁴ ZNA GA7/2, Prison Labour, 1953; see also GA5/3, Letter from Superintendent of Prison to Chief Secretary 1953.

essential agricultural and public works.¹⁸⁵ In Zanzibar, likewise in Tanganyika, in 1930s¹⁸⁶ and other colonial Africa territories, prisoners were employed on work of public nature such as anti-malaria scheme, aerodrome maintenance, tree felling, digging drains, bush clearance, clearance of mangrove areas and so forth.¹⁸⁷ From this account, convict labour inside the prisons or camps as well as at works of public nature tended to reduce the cost of colonial government to employ wage labor.

The system of convict labour coincided with a remuneration system. The colonial prison administration ordered the remuneration system in order to stimulate the industry and interest of prisoners in their works.¹⁸⁸ The colonial regime in Zanzibar Protectorate provided remissions/remuneration for prisoners whereby the convicted prisoners serving sentence over three months on good conduct, or industry earned the remission of one quarter of his sentence. Significantly, the colonial regime introduced a remission system on the ground that the prisoners would work hard in order to earn remission to purchase cigarette, tobacco, and sweets.¹⁸⁹ But more important to the prison authority was to serve the financial needs of imperialists by having markets for their industrial manufacturing goods.

¹⁸⁵ David Williams, The Role of Prisons in Tanzania: A Historical Perspective, *Crime and Social Justice*, No. 13 Focus on Prisons (1980), p. 29.

¹⁸⁶ *Ibid.*,

¹⁸⁷ ZNA GA7/2, Letter from Chief Secretary to Prisons Commissioner, 1953.

¹⁸⁸ ZNA AB61/5, Report of the General Administration of the Prisons, 1957.

¹⁸⁹ *Ibid.*,

Therefore, on admission the offender was credited with the full amount of remission to which he was be entitled. A prisoner could forfeit remission as a punishment for an offence or offences against prison discipline. Such loss of remission was calculated by 'day'.¹⁹⁰By the prison amendment decree of 1938, which came in operation in 1939, the prisoners earned a remission of $\frac{1}{6}$ of total sentence exceeding one month instead of half on sentence exceeding six months.¹⁹¹ Together with introduction of system of remission, prisoners were subject of the prison disciplines. In case prisoners offended prison disciplines they should forfeited this remission.

Because of manifold functions of convict labour, it was also tied with other aspects of prison. For instance, the prisoners enjoyed the same rights as free workmen in respect of injuries or diseases arising out of and in the course of their employment.¹⁹² This implies that prison became a site of the inducement of colonial medicine through medical centers that were introduced in prisons. Even though the colonial prison report seems to show sympathetic feelings toward the prisoners, it was contrary to the situation of prisons and camps whereby the prisons and camps encountered with poor facilities. For example, in the case of serious injuries and diseases, the prisoners were transferred to the government hospital due to lack of medical

¹⁹⁰ ZNA BA61/5, Annual Report on the Treatment of the Offenders, Zanzibar Protectorate, 1957.

¹⁹¹ ZNA GA5/3, The letter from Commissioner of Prison to the Secretary Prisons Visiting Justices, 1940

¹⁹² ZNA GA5/3, Conference of Prisons Commissioners, 1953.

facilities and professional workers.¹⁹³ Besides, the Prison Administration provided colonial medicine for prisoners partly because ill prisoners could not work and could become a burden to the colonial government. Thus, colonial medicine became an integral part of convict labour in order to cure the prisoners to promote prisoners' health. Still colonial authority ensured health of prisoners for more effective works.

Convict labour in Zanzibar Protectorate raised many questions. The representative members of Executive Council had curiosity on justification of convict labour and the kind of labour to be employed.¹⁹⁴ This implies that prisoners were employed against prisons rules. Rules 16 and 17 of Prisons Rules of 1933 stipulated that works done by prisoners should be for public advantages, but employing prisoners in gardens of prison officers also remained a long standing practice.¹⁹⁵ The Superintendent of Prisons claimed that such practice was common in most colonial territories of Africa. The Commissioner of Police and Assistant Commissioner of Police had a weekly gang of prisoners at their quarters, a procedure retained even after the Police and Prisons Department separated. But prison labour was later stopped to be employed at the Commissioner and the Assistant Commissioner of Police's gardens because they were no longer in charge of the prisons.¹⁹⁶ It seems that the prisoners were also employed as domestic servants. Such kind of employment of convict labour was also later

¹⁹³ *Ibid.*,

¹⁹⁴ ZNA GA7/2, Prisoners' Labour, 1956

¹⁹⁵ *Ibid.*,

¹⁹⁶ *Ibid.*,

prohibited.¹⁹⁷It means that before provision of the prison rule of 1933, convict labour was used as domestic servants of prison officials in order to avoid expenses for waged labour on their domestic works.

The Prisons Standing Orders Number 13 stipulated terms of employment to the prisoners and prohibited their appointment as domestic servants as follows:

Employment of prisoners as domestic servants is strictly forbidden. Prisoners on light duty may be employed in the gardens attached to the quarters of prisoners' officials but no prisoners is to be left alone, or allowed to enter a house of any member of the prison staff. For general employment of Prison labour see sec.45 of Prison Decree, and Rules 16 and 17 of Prison Rules. No prison labour shall be provided to any non-government concern whatsoever without the authority of the Superintendent.¹⁹⁸

As evident, the Prison Standing Orders laid down how prisoners may be employed, but none were permitted to work in an officer's house as servants. It is presumed that the orders originally received His Excellency's approval.¹⁹⁹ Regardless of the strict prohibition of prisoners as domestic servants the prisons officials regarded their home gardens as part of prisoners' work on the ground that employment of prisoners on garden work had its rehabilitative side- such practice would help the prisoners to obtain good employment on discharge. Acceding to such logic, a group of prisoners was authorized by His Excellency for that purpose.²⁰⁰

¹⁹⁷ *Ibid.*,

¹⁹⁸ *Ibid.*,

¹⁹⁹ *Ibid.*,

²⁰⁰ *Ibid.*,

Table 3. 1: Convict Labour Authorized to Work in Gardens of Officials

S/N	Official's garden	Number of prison
1	Superintendent of Prison	4 prisoners daily.
2	Principal Officer	2 prisoners daily.
3	Commissioners of Police	4 prisoners weekly.
4	Asst. Commissioner of Police	4 prisoners weekly

Source: ZNA GA7/2, Prisoners' Labour (1956).

Table 3.1 shows that it was the normal attitude of colonial authorities to use convict labour in their domestic gardens. Prisons officers used prisoners labour for their own benefits by clamming that such types of employment in and out prisons, in the long run, worked to benefit the prisoner on discharge.

The colonial prisons in Zanzibar also sustained other colonial departments. Prisoners who for various reasons could not be employed extramurally were employed in workshops on carpentry and tailoring for Government Departments. The prisons industry provided furniture for use of prisons department as well as other government departments, provided uniforms for prison officials and prisoners as well as uniforms for other government departments.²⁰¹ Other prisoners were engaged in essential domestic services in the prisons such as cooking, grass cutting, gardens, fire wood fetching and general maintenance.²⁰²

From this ground during the colonial era the prisoners were employed inside and outside the prisons. Convict labour was employed by government

²⁰¹ZNA GA7/2, Prison Labour, Extract from Minutes of Meeting held in 1956.

²⁰² *Ibid.*,

departments on works of public nature. Prisoners were also employed as temporary workers in prisons. An instance of this was employment of Mr. D'sa²⁰³ who was employed as a temporary clerk in the Prisons Department of Zanzibar Protectorate.²⁰⁴ Employment of prisoners in Prisons Department implies serious shortage of professional prison workers as well as unskilled workers such as warders in colonial prisons and hence, there were inefficient services of prisons administration for prisoner population. Even recruitment of low class workers such warders was not enough compared to the rate of increase in prisoners in the colonies. The ratio of warders to prisoners was one per five prisoners (1:5).²⁰⁵

Mainly convict labour was categorized on hard and simple labor and it was later termed as simple and hard imprisonment due to abolition of hard labor in the 1950s. Prisoners sentenced to hard labour as authorized by His Excellency engaged on works like agriculture, digging drains, tailoring, chopping firewood, fishing, or other such work as directed by The Superintendent of Prisons. Those who were sentenced to simple labour swept and cleaned cells including yards within the prison walls. Out of simple and hard labor, convict labour mainly was forced labour that insisted on hard labour with the exception of unfit prisoners such as females and ill-health prisoners who were employed inside the prisons.

²⁰³ The name of this employee ' Mr.D'sa' had be written in the letter as it appears in this chapter: letter from Prison Commission to permanent Secretary ,1963. See ZNA GA5/11

²⁰⁴ ZNA GA5/11, Letter from Prison Commissioner to Permanent Secretary 1963.

²⁰⁵ Ibid., See also ZNA GA3/3 Prisons Estimates, 1961-1971.

Colonial prisons in Zanzibar considered physical fitness, physique (body of prisoner) and gender. Male and female offenders performed different labour types in Zanzibar prisons. The physique and health of male prisoner determined the categories of works to do in the prison in Zanzibar. Physical fitness and large physique of male prisoners fit the category of hard labour, whereas small physique and poor health determined simple labour among the convicts.²⁰⁶ Prison administration thought that providing hard labour to male healthy prisoners ensured smooth accomplishment of required tasks and caused fewer deleterious consequences. Contrarily to unhealthy prisoners who frequently needed medical care. Colonial prison administration thought this situation could cost colonial government.

Usually, female offenders were employed on simple labour and were given simple duties, so also to weak prisoners that helped to maintain their health. After all they had to remember that they were all prisoners and had the responsibility in the prison. This was one of humane aspects of colonial prisons in Zanzibar. Generally, colonial authority in Zanzibar insisted more on the importance of labour in prisons.

The main labour force in Zanzibar Protectorate was in the Prison Camps where the prisoners were employed on afforestation work and production of food stuffs for consumption of prisoners. Therefore, various camps in Zanzibar and Pemba islands were introduced to supplement the prisons. The central prison from *Kiinua-miguu*, and Wete prison were mainly sustained

²⁰⁶ *ibid.*,

by its prisoners and sometimes by those from nearby camps of Weni and Makondeni during its existence. Afforestation and agriculture works were important to the Protectorate. Both afforestation and production of food stuffs for the consumption of prisoners saved the government considerable sums of money in regard to food purchases for prisoners.²⁰⁷ On the other hand, in order to carry on the colonial economic policy the colonial regime used these camps as form of punishment for those who breached the colonial authority's laws and orders. Generally speaking, prison labour played an important role in the penal system. Since even maintenance and repair works, and all decoration and color washing tasks were carried out by prison labour under the artisan instruction.²⁰⁸ Convict labour was aimed at reducing cost of wage labour.

Prison regime facilitated establishment of several prisons and camps in Unguja and Pemba islands for agriculture. Significant agricultural activities were done in PCs. The prisoners were employed on agricultural activities and cutting fuel wood for the prison.²⁰⁹ For instance, Langoni PCs was a special camp for first-time offenders who were segregated from the old lags. It was constructed in 1938 and the prisoners of good conduct were employed there. Langoni PCs concentrated mainly on agricultural activities. Prisoners from the camp relied on production of cereals and vegetables including paddy, maize, millet, beans, sweet potatoes, cassava, coconuts,

²⁰⁷ ZNA BA49/6, Report on Zanzibar prisons, 1940.

²⁰⁸ ZNA GA1/2, Annual Report of the Treatment of Offenders Zanzibar Protectorate, 1960.

²⁰⁹ ZNA BA49/4, Annual Report on the Zanzibar prisons, 1931.

pineapples and various kinds of vegetables. The prison administration provided useful employment tips on farming activities that produced large quantities to fulfill their food consumption and surplus products were sent to government hospital, government school and Arab girl school, a pattern that indicates economic gains to the colonial government.²¹⁰ This implies that camps' agricultural production had ability to sustain prisoners as well as provided surplus for other government departments.

The archival and oral sources also reveal that Langoni and Kinu cha Moshi Prison Camps benefited prisoners by being taught on better cultivation methods of such as use of compost, the most suitable varieties of crops to plant and so forth. Those who in need were provided with free seeds and cutting.²¹¹ The report implies that together with uses of convict labour as punishment and more importantly catered for economic purposes, it also fulfilled a reformatory function to the prisoners.

Prisoners were also employed on public health project, cutting fuel wood, Kizimbani as well as Migombani re-forestation, in residency - repairing the palace- in prisons industries (carpentry and tailoring), yet the system largely provided economic benefit to the colonial state. The respondents firmly viewed imprisonment as punitive institutions aimed at getting African labour force. Hence, hard labour was deemed important to the

²¹⁰ ZNA BA49/5, Report on the Prisons, 1939. See also ZNA BA49/7

²¹¹ ZNA BA49/8, Annual Report on Prisons, 1944.

colonial administration rather than reformation of prisoners.²¹² In many cases prisoners were sent frequently to labour irrespective of weather. The prison authorities were advised to keep the prisoners waiting until the weather cleared up, if it was not too late to send them to works.²¹³ From this point of view, the study discovered that the colonial state regardless of the prisoners' health conditions forced them to work for financial and industrial interests of the colonialists.

Furthermore, CP made an arrangement for transporting convicts to labour camps (Langoni, Kinu-cha Moshi in Unguja as well as Weni in Pemba) in order to satisfy economic and political needs of colonial government. Thus, all convicts who received a prison sentence of a year or more were sent to labour camps established purposely for agricultural activities. Historically, Africa operated on the understanding that prisons were places of punishment that was mainly executed through forced labour. Under colonialism, prison camps were widely used by colonial rulers to ensure accessible supply of forced labourers. Mass arrests and detention without trial led to overpopulated prisons and the colonial powers used such strategies for their advantage. The colonial empires were built on backs of their prisoners who provided cheap and steady labour force for underpaid tasks.

The way convict labour was operated was obviously of considerable importance in facilitating development of colonial economy throughout the Protectorate. It must be noted that a large proportion of prison labour force consisted able-bodied men from

²¹² Interview with Mr. Amour Rajab Amur (71) held at Fuoni, Unguja, 15/11/2017.

²¹³ ZNA GA6/1, Letter from Commissioner of Prisons to the Superintendent of the Prisons, 02/03/1935.

the poorest families who failed to meet financial liabilities imposed on them in form of fines. The colonial administrative reports indicate that colonial prison in Zanzibar played a potential role to uphold colonial economy. For example, in Pemba, thick bushes around trees in the clove growing areas were cleared and clove crop was harvested as well as sold to the colonial contractors by the prison labour.²¹⁴

3.2 Roles of Prison in Shaping Social Relations from 1890 to 1963

This part of the study, presents the manner prisons helped to shape social relationships in Zanzibar. Society shapes the prisons and vice versa. As historians of prison institution argue, imprisonment shaped the economic, medical and political landscape of the colonies²¹⁵ In addition to this Dirk van Zyl Smit suggests that prisons institutions are supposed to protect society by keeping offenders apart from the wider society.²¹⁶ Probably, imprisonment sanitizes criminals and returns them to society as citizens free from crime(s). However, it depends on the aim and function of construction prison in a given society.

Florence Bernault points out that in the British territories a comprehensive series of ordinances were issued²¹⁷ probably to put their subjects on their line of governing. Therefore, those who went against colonial authority such as murderers, pocket thieves, fine and tax defaulters and robbers as well

²¹⁴ ZNA GA1/2 Inspection Report on Wete Prison, 1960.

²¹⁵ Bernault, ed., *Politics of Enclosure in Colonial and Post-Colonial Africa*, p. 3.

²¹⁶ Dirk van Zyl Smit, Regulation of Prison Conditions, *Crime and Justice*, Vol. 39, No. 1, (2010), p. 503.

²¹⁷ Bernault, *The Politics of Enclosure in Colonial and Post –Colonial Africa*, p. 11.

political dissents were imprisoned by the colonial regime. However prisons institution was also used to imprison people on deceitful offences because of the regime's social interest. For instance, even though Joseph (Yusuf) did not indulge in forceful adultery sex with his master's wife, he was incarcerated partly because he refused to accomplish the desire of master's wife.²¹⁸ However, Joseph on his side used the prison as an ideological institution to preach religious education. Because of his wisdom and trustfulness in the prison he became a treasure on his discharge.²¹⁹ This shows that the prison helped to shape social relationships in society whereby there was proportional between the ruler and the subject.

In contrary, colonial prisons in Zanzibar were constructed to control Africans in accordance with colonial interests. Colonial prisons promoted and maintained the colonial social hierarchy. Bernault notes that construction of colonial prisons ensured that the master servant relationship preserved at any cost. In due regard, prisons institution incorporated various aspects.

There was relationship between natives and the colonial prisons, even though to a large extent it was not a cordial one. The colonial state introduced the so called modern prison in Zanzibar Protectorate like in other African colonies to expand and consolidate colonial hegemony. However,

²¹⁸ Quran(2: 32-33)

²¹⁹ Ibid., (2:54-6)

to achieve its goal the prison regime tried to use different approaches to show sympathy on eyes of Africans even though it was contrary.

Instance of this, the colonial authority appointed visiting justice members for all prisons and prison camps in Zanzibar Protectorate to investigate the welfare of the prisoner population. It was agreed that an 'ex officio' visiting justice should visit a prison at irregular times and should organize a surprise visit to prisons and camps in order to investigate the welfare of prisoners.²²⁰The Prisons visiting Justice included medical officers, members of welfare association and prominent political leaders such as Ali Muhsin Barwan, sheikh Ali Sharif Mussa, sheikh Abeid Karume, Ameri Tajo (prison visiting justice committee members).²²¹ The prisons and prisoners were also visited by several people such as the higher government officials and members of the judiciary visiting committees or boards of visitors, voluntary visitors including prisoners' relatives as well as friends.²²² Visiting justice members were allowed to provide criticisms and recommendations concerning prisoners as well as prisons in general.

The main objective of visiting justice members was to investigate the colonial prisons administration, functioning of prison officials as well as prison staffs, the welfare of prisoners and the prisons environment in general. From such visits, justice members investigated the surrounding environment of prisons as well as camps and produced many suggestions to

²²⁰ ZNA GA7/3 Visitation of Prisons, 1953.

²²¹ ZNA GA7/3 Appointment of Visiting Justice Committee, 1956.

²²² ZNA GA6/2, Prisons Visiting Justice Committee, 1959.

the prisons administration. They also investigated the welfare of prisoners whereby prisoners were allowed to raise complaints if any before the visiting members during the visits.

Prison administration seemed to create war against the Africans through visiting justice members. The prisoners had several complaints on colonial prisons due to insufficient services from the prison administration. The study discovered that the colonial prisons in Zanzibar Protectorate, like other African colonial prisons, were faced with shortage of facilities and services that made the prisoners raise many complaints. The prisoners complained on insufficient food, soaps, health services and sanitary environment inside and surrounding the jails. For instance, the visiting justice reports show that prisoners complained about their ill-health that they could not even eat common food provided in the prisons and asked for appropriate food pertaining to prisoners' health. It was the case of the Prisoner Number 615/59, Omar Ali, who was admitted in hospital. Prisoner Ali complained about food that according his unhealthy condition, could not eat normal food provided to him instead he asked for milk.²²³ However, from that complaint the prisons authority told him to take an advice from the doctor. Prisoners also complained about the abuse of human rights in the colonial prisons in Zanzibar Protectorate. Prisoner Numbers 83/57 and 384/58 Hamada Saleh, and Ramadhan Fikirini respectively complained that they were isolated from other prisoners and they were not allowed to talk

²²³ *Ibid.*,

with others. They were searched every morning when they came out from cells and every evening they went back to cells. They also said that they were not allowed to listen even to the radio or watch cinemas or take part in reading Koran or religious lessons.²²⁴ It seems that the colonial prisons were largely a place for punishment and did not regard human rights of the prisoners. The principle of amending the prisoners was considerably altered in the colonies.²²⁵ Reformatory function of prison institution was overwhelmed by feelings of domination over Africa as an inferior race and hence, there was no importance of their human rights.

Complaints from prisoners and suggestions from visiting justice members implied the weakness of prisons services. Even though the prisoners produced various complaints they were more or less solved. Despite many complains raised by the prisoners, to a large extent the prisons visiting justice reports, especially those by the Europeans, show that they were satisfied with conditions of the prisoners and their environments. Several visiting justice reports expressed satisfactory tone on conditions of prisoners and the sanitary environment of prisons in general despite many complaints from the prisoners.²²⁶ The visiting justice members claimed that the prisons were kept very clean and they had very friendly relations between the warders and the prisoners. However, the visiting justice report of 1958 pointed to poor service of colonial prisons and prisons camps in the

²²⁴ ZNA GA7/3 Visitation of Prisons, 1959.

²²⁵ Bernault, *The Politics of Enclosure in Colonial and Post- Colonial* p. 3.

²²⁶ ZNA GA7/3 Visitation of prisons, Report from the visiting Justice Committee, 1959.

Protectorate,(see Appendix 3). This provided a significant and correct picture on operations of prisons administration and the true relationship between prisons regime and the prisoners in general, whereby the prisons administration did not care about human rights of prisoners.

Prison institutions in colonial Africa were seen as places of punishment rather than as reformatory or rehabilitative institutions. According to the rule set out in *Discipline and Punishment*, punishment is to be understood as a political tactic situated within the general field of power relations.²²⁷ On this Daniel Branch argues that it was nature of colonial state to establish prisons and detention camps as locations for physical punishment in extremely unhealthy conditions, poor diet, hard labour and corporal punishment.²²⁸ Similar to other colonial prisons in African territories, Zanzibar prisons were characterized by insufficient diet in quantity and quality that were diminished to levels at which offenders could only keep them barely alive.

In addition, to reinforce harsh conditions of colonial prison, forced labor, corporal punishment and capital punishment became frequent sentences. The colonial government began building prisons and prison camps to enforce agricultural and public works as well as instill obedience and discipline among the subjects to the colonial laws and orders. African prisoners were employed in hard labour for betterment of the white race.

²²⁷ Foucault, *Discipline and Punish*, pp. 23-24.

²²⁸ Branch, "Imprisonment and Colonialism in Kenya c.1930-1952, p. 241.

Thani asserts that during the colonial period, strong bodied Africans were employed in hard labour.²²⁹ The prison farms at Langoni and Kinu cha Moshi were extensive that needed people with good health to do hard work. The works included cultivation in paddy farms, tree cutting like mango trees and other large trees.²³⁰ This shows the inhumane treatment to prison inmates in colonial prisons. On such situation, Amanda Dissel in her *Rehabilitation and Reintegration in African Prisons* argues that inhumane treatment of prisoners might have caused mental health problems. He postulates that lack of services provision, poor coordination and prisons environment together with provision of hard labour may have caused the prison inmates suffer from mental and physical health.²³¹ It seems that the prison was an institution of punishment designed to incarcerate and control African population as a source of labour for betterment of colonial state rather than African society.

Even though colonial prisons in Zanzibar more overtly acted as an institution of punishment, it shows some sort of human rights for prisoners. Prisoners' relatives and friends were allowed to visit inmates at prisons once a month. The act made prisoners to have some satisfaction. However, prisoners' relatives complained that it was not enough to visit the prisoners once per month. They were demanding the Prisons Department to increase

²²⁹ Amani Thani Fairouz, *Ukweli ni Huu*, p. 79.

²³⁰ *Ibid.*, p. 79.

²³¹ Amanda Dissel, *Rehabilitation and Reintegration in African Prisons*, in Jeremy Sarkin, (ed.) *Human Rights in African Prisons*, (Athens: Ohio University Press, 2008), p. 158.

days of visiting to the prisoners at least once a week. Prisoners were also allowed to send and receive letters from families but such letters took several months to reach.²³² To some extent, this represents rapport between the prisoners and members of the society whereby prisoners got exposure from family members a pattern that helped to reduce consequences of mental/psychological problems to prisoners. Yet the prison regimes in the British Protectorate demonstrated a racial hierarchy from prison services whereby European prisoners were almost universally offered better services than the other members of imprisoned community. Bernault insists on this by asserting that in the British Empire racial segregation was maintained by separation of Europeans from other inmates like Africans and Asians. European prisoners also enjoyed significantly better living standards than other prisoners of different races.²³³ Similarly, in the British colony of India, the European prisoners enjoyed separate quarters and better food, including milk and meat than other. They had right to wear their own clothes, to have better reading facilities like lights and to receive as well as write more letters than Indian inmates.²³⁴ Similar to that, in Zanzibar Protectorate, colonial authority used racist ideology to separate white from Blacks in regard to food, clothes, accommodation and other services like medical

²³² ZNA GA7/3, Annual Report of Medical Officer in Charge, Zanzibar Central Prison, 1957.

²³³ Florence Bernault, *Shadow of Rule: Colonial Power and modern Punishment in Africa*, in Frank Dikotter and Ian Brow (eds.), *Cultures of Confinement: A History of the Prison in Africa, Asia and Latin America* (London: Hurst and Company 2007), p.73.

²³⁴ Taylor C. Sherman, *Tensions of Colonial Punishment: Perspectives on Recent Development in the Study of Coercive Network in Asia, Africa and the Caribbean*, *History Campus*, Vol. 7, No. 3 (2009), p. 7.

care, and library facilities. But there was minute distinction on the clothes from that of inmates in the British Indian colony. In Zanzibar, European inmates wore the prison uniforms even though they differed in scale from that of African inmates. Prison administration seems to authorise racist feelings amongst Europeans to produce the social hierarchy between the white master and black servants. As Pete notes that in the sights of Europeans, the act of incarcerating the white in a communal cell with the collective African offenders was shameful and degraded prisoners including the white race as a whole.²³⁵ Moreover, the prison system of racial segregation always ensured and developed the European prisoner industrial skills to fit the white ruling member.²³⁶

Religious instruction was another strategy used by prisons regime. Prisons institution used religious teachings as a tool to create a sense of respect and obedience to the white rule. It made a vital contribution to the curative regime of the prisons. Colonial prison policy viewed the religious teaching as part of modern prison discipline and the prisoners attending the religious classes were considered more civilized and important than other. Colonial reports show that the religious instructions on Islam and other denominations were carried out at Prisons and Camps in Zanzibar Protectorate. The instructions in Arabic characters and in the Quran were carried out for Muslims while prisoners of other denominations were visited by clergy of their own church and services were conducted when

²³⁵ Pete, A Brief History of Human Rights in the Prisons of Africa, p. 50.

²³⁶ *Ibid.*,

required.²³⁷The prisoners of Church of England and Catholic Church were visited periodically by priests of their respective faiths. But the Sheikh from Muslim religion provided only part-time instruction in the prisons and prison camps in Zanzibar and Pemba.²³⁸ Respondents argued that moral and religious instructions to the prisoners were a powerful tool and had tangible good effects on offenders especially on juveniles.²³⁹ It seems that the prisons administration believed that religious instructions contributed to the larger disciplinary regime by trying to convince the prisoners to relinquish anger on those who called them guilt, to accept their guilt as well as the sentence. Religious teachings were influential tools that made prison inmates to believe that the colonial authority had the best intention on their subjects.

In the same line, the colonial administration introduced secular instructions in prisons and in some of prisoners' camps. Prisons reports and oral sources show that the secular classes were held in the colonial prisons in Zanzibar Protectorate. Evening classes were performed by qualified teachers on four evenings a week in the CP. They were well attended and similar classes were started at Kichwele Camp towards the end of 1959.²⁴⁰ Yet it seems that secular instructions were implemented mainly in CP, while other prison camps lacked such opportunity. The study discovered that the colonial

²³⁷ ZNA GA5/4, Spiritual, Welfare and Education, 1952-1955.

²³⁸ ZNA BA61/5, Report of the General Administration of the Prisons, 1957.

²³⁹ Interview with Dr. Abdulla Mkumbukwa held at the State University of Zanzibar, 13/10/2017.

²⁴⁰ ZNA GA5/3, Conference of Prisons Commissioners, 1952-1955.

regime introduced religious and secular instructions in the prisons and prison camps as the ideological weapon that aimed at controlling the Africans in accordance with colonial interests. The colonial authority employed religious and secular instructions to instil the sense of obedience in the prisoners' minds to the colonial regime since frequently, religious and colonial secular instructions preached the doctrine of peace and harmony to African subjects. This was a normal technique used by colonial authority to legalize colonial superiority as well as colonialism, in general.

In the early 1950s, the colonial authority also started to put emphasis on moral and professional rehabilitation of offenders in Zanzibar Protectorate. Colonial prisons institutions in Africa seemed to have a common imperialistic agenda. They conducted several inter-territorial conferences to discuss varieties of issues in relation to socio-economic welfare of the prison administration, prison staffs and prisoners. An instance of this was the Commission for Technical Cooperation held in Africa South of the Sahara Conference in 1953. The prison administrations South of Sahara conducted the conference, which used to be held once in every two (2) years and later held once a year. Main agenda of the conference was to discuss about the welfare and treatment of offenders. The conference made emphasis on religious and moral welfare of prisoners including education of offenders, warders, and prisons officials, after care and similar other aspect.²⁴¹

²⁴¹ ZNA GA6/3, Conference of East African Commissioners of Prisoners, 1957-1966.

The conference recommended proper attention to religious ethics and moral of the offenders as well as ensured that facilities were provided for this purpose. They suggested that in order to secure complete rehabilitation of the prisoners, provision should be made for their leisure time activities, for instance provision of libraries, educational films, and evening classes.²⁴²In addition, the conference claimed that insane delinquent or insane accused persons should be the subject of special medical care and under no circumstances they should be detained in ordinary prisons. It also recommended that prisons institutions should appoint welfare officers in cooperation with Discharge Prisoners' Aid Societies or other voluntary workers or agencies or probation officers.²⁴³ Even though the colonial prisons conducted various conferences to discuss the welfare as well as treatment of the offenders and provided many suggestions but they were hardly implemented. For instance, prison staffs, especially warders lived low life standards. Many waders lived in rent houses at “*Ng'ambo*” (Outside town area in Zanzibar Island). On the other hand, prisons had no adequate facilities and services for prisoners, for example reading facilities, medicine and bedstead to mention a few. This implies that implementation for rehabilitation was not a relative consideration of colonial regime in Zanzibar and it grew very slowly.

Obviously, responsibility of prisons institutions does not cease when the prisoners leave prisons on their release. It also includes the duty to render

²⁴² *Ibid.*,

²⁴³ *Ibid.*,

all necessary and reasonable help to re-establish him in the community to wherein he returns, particularly in regard to finding work. Thus, there would be need for agencies to help such persons to get work and they would be of particular value in helping and befriending the discharged prisoners after they return home. But the letter from the Chief Secretary to the Superintendent of the Prisons in Zanzibar shows sense of disappointment. Even though formerly there was agreement on recommendation from the conference held in 1953, the Superintendent of Prisons, Sd. E. Grange (1954), opposed the proposal for the conference. He thought that implementation of proposal of the conference depended on local conditions. According to Grange, implementation of such recommendations was not apparent in local conditions of Zanzibar.²⁴⁴ This shows that colonial prisons in Zanzibar Protectorate became a contested site that looked down the welfare of prisoners.

Prison administration was also advised to use Rule 6 of the United Kingdom (UK) Prison. Significantly, the purpose of the rule was the better treatment and training of convicted prisoners as well as to establish in them the will to lead good and useful life, and to enable them to do so.²⁴⁵ The prison administration report claims that the principles embodied in the rule were carried out at some prisons in other British territories but that stretched the capacity of the prison system. Much remained to be done as before. But it can be said that the prison system in Zanzibar was comparably favourable

²⁴⁴ ZNA GA5/3, conference of Pprisons commissioners, 1951-1955.

²⁴⁵ ZNA GA61/5, Report on the Prisons Administration in Zanzibar, 1960.

than those in nearby East Africa or elsewhere.²⁴⁶ That is to say, intellectual movement that had given birth to reforms in Western Prisons based on faith in good nature of humanity never played a major role in Zanzibar prison. According to Bernault, the colonial government's lack of material resources was crucial.²⁴⁷ However, it seems that abundance of material resources or inadequacy did not determine proper services of colonial prisons. Lack of willpower to use confinement as a transformative tactic for natives laid aside some of the original features of modern confinement in colonial prison in Zanzibar Protectorate. This was evident to the fair treatment of European prisoners in same colonial prisons in Zanzibar Protectorate whereas African prisoners were neglected.

Colonial prison in Zanzibar Protectorate was also characterized by social and racial segregation in the recruitment of its officials including other workers.²⁴⁸ Zanzibar Prisons service consisted of a Governor of Prisons and a Superintendent of Prisons who were Europeans while clerks and technical instructor were Asians, and a number of warders and wardresses were Africans drawn principally from ethnic-groups of East African mainland that included Wayao, Wangoni, Wamwemba, Wanyamwezi, Wanyanja,

²⁴⁶ZNA GA61/5, Report from the British Resident in Zanzibar to the Secretary of the State for the Colonies, 1960

²⁴⁷ Florence Bernault, Politics of Enclosure in Colonial and Post –Colonial Africa, in Florence Bernault, (ed.), *History of Prison and Confinement in Africa*, Translated by J. Roitman: (Portsmouth, NH: Heinmann, 2003), p. 8.

²⁴⁸ ZNA BA49/1, Annual Report on Zanzibar Prisons, 1931.

Warufijis, Wafipa, and Wamwera.²⁴⁹ Thus, the Africans were of low rank in the prison service carder in tune with the colonial rule of racial hierarchy as played out in the prisons. Social segregation not only affected African prison's staff but African prisoners as well on food, accommodation, clothes and other services. Such colonial racial practices helped to create political domination over Africans and there was always in them a sense of superiority over black society.

Prison racial segregation sought to make African a delinquent race and their offences were unlike those of Europeans. Europeans believed that punishment either from racial segregation or corporal as well as capital punishment inflicted to uncivilized Africans was relevant and fair to guide them towards civilized values of Europeans. That is to say, in the eyes of whites, Rule 6 of UK prison was intended for European prisoners and did not fit the African prisoners. As Bernault points out, prison reforms, as done in Western Europe and North America, were never put into practice in colonial Africa.²⁵⁰ The recommendation from colonial prison conferences concerning treatment of colonial prisoners as stipulated in Rule 6 of UK prison did not seem to implement in Zanzibar, because, lack of good will of colonial administration to make reformation of African prisoners was an obstacle.

²⁴⁹ ZNA BA49/5, Report on the Prisons, 1939.

²⁵⁰ Bernault, *The Politics of Enclosure in Colonial and Post-Colonial Africa*, p. 25.

Despite that, colonial prisons were gender considerate. Normally, women were treated differently from men. Women prisoners in Zanzibar protectorate were entirely segregated from male prisoners in separate blocks at CP. The block of female offenders stood in its own yard and contained ward accommodation for sixteen women with sanitary and washing arrangements. They were usually accommodated and served in the compound of CP since the female prisoners in Wete prison who had the sentence extended over a month were also transferred to CP in Zanzibar Island.²⁵¹

Female offenders had special task to do in the prison. They were responsible in accomplishing internal simple and soft duties in the CP as well as Wete prison. Tasks included sweeping, rope making and basket making, prison kitchen activities, cleaning cells as well as yards within prison walls.²⁵² Such pattern was to comply with the moral value of Zanzibar culture of women. This was evidenced by one of the respondents who argued that women were treated differently from men. A woman who had an infant and another with pregnancy were not incarcerated.²⁵³ However, he did not explain on kinds of punishment they were provided for those who transgressed the laws while they were pregnant or had an infant. Probably African prisons, as Lisa Vetten remarks, were inadequate and had poor facilities for the need of pregnant women as well as those with

²⁵¹ ZNA, GA5/3 Annual Report for the Treatment of the Offenders, 1960.

²⁵² *Ibid.*,

²⁵³ Interview with Mr. Amer bin Amer held at Bwejuu in Unguja, 09/09/2017.

children. This study discovered that colonial prisons in Zanzibar Protectorate neglected female prisoners as Vetten points out that this situation is a kind of neglect.²⁵⁴

It seems that colonial authorities in Zanzibar regarded the woman as a weak body not only in the penal system but also in various affairs. For example, it was not until 1960s women were allowed to participate in political elections in Zanzibar. In addition the religious and cultural values of Zanzibar society influenced prisons system in treatment of female prisoners differently from male prisoners. Besides, female prisoners suffered from prison abuse. They were mistreated by male staff as well as by the offenders. An anonymous respondent revealed that once her relative was incarcerated during the colonial period she was impregnated.²⁵⁵ The situation shows that prisons institution abused human rights of female offenders due to their weakness.

Poor infrastructure and services played a major role to influence massive escape and frequent complaints in colonial prisons in Zanzibar Protectorate. Dirty prison environment and shortage of prisons facilities like water and medicine were chronic problems that made the prisoners either to escape in mass or lodge complaints frequently. The prison reports in Zanzibar colonial prisons in each year reported such incidences of escape. In 1959, 9 prisoners were reported to escape: 3 from inside the Central Prison and 6

²⁵⁴ Lisa Vetten, The imprisonment of Women in Africa, in Jeremy Sarkin, (ed.) *Human Rights in African Prisons* p.134.

²⁵⁵ Interview with anonymous respondent, 17/01/2018.

from outside working practice.²⁵⁶ One hundred sixty seven to three hundred thirty one (167-331) cases of offences against prisons discipline were reported to occur between 1955 and 1961. A large majority of offences were committed at the central prison, including an incident of mass insubordination. It was reported that it was engineered by a small group of regular trouble makers and took the form of mass refusal to take their food on the ground that it was unsuitable. But the prison administration on investigation contradicted the report. Prison administration maintained the food was perfectly good and other grievances were completely groundless.²⁵⁷ Such claims by prison administration were contrary to facts on ground. Mr Virjis, a prison visiting justice member, argued that some food did not reach the prisoners. He suggested that surprise visit should be paid at the time of the main meal.²⁵⁸

Furthermore, penal diet as disciplinary punishment seemed to annoy prisoners. Oral interviews revealed that prisoner were also affected by disciplinary punishment such as penal diet and deprive of the remission. Even the full rations were not satisfactory, partial ones were barely sufficient. Disciplinary punishment was provided to those who breached the prison discipline as seen in Table 3.2.²⁵⁹

²⁵⁶ ZNA GA5/3, Annual report on the treatment of the offenders, 1960.

²⁵⁷ *Ibid.*,

²⁵⁸ ZNA GA6/4 Annual Reports of the Prisons Visiting Justice Committee, 1953.

²⁵⁹ ZNA GA5/3, Annual Report for the treatment of the Offenders, 1961.

Table 3. 2: Colonial prison disciplinary punishments in Zanzibar Protectorate

Punishment on	1955	1956	1957	1958	1959	1960	1961
Extra work	32	45	55	32	25	28	11
Warned	67	28	24	17	18	52	57
Extra work and loss of remission	6	3	11	5	12	-	1
Extra work and solitary confinement	3	1	-	1	-	2	4
Loss of remission	92	54	97	109	184	87	126
Penal diet and solitary confinement	43	18	1	9	4	28	45
Penal diet, solitary confinement and loss of remission	6	11	17	19	24	13	46
Deprive of privileges	8	7	4	6	9	19	31
Penal diet and loss of remission	-	-	-	-	-	1	6
Loss of remission and solitary confinement	-	-	-	-	-	-	4
Total	257	167	209	198	285	230	331

Source: ZNA GA5/3 Annual Report for the Treatment of the Offenders (1961).

Table 3.2 shows prison disciplinary punishments for the past 7 years from 1955 to 1961. With exclusion of corporal punishment and execution, the prisoner who went against the prisons disciplines was subject to various punishments and thus they were administered as seen in the Table. Loss of remission was the main punishment in the colonial times followed by extra work. Solitary confinement was scarcely given. This indicates that it was

difficult to keep the prisoners in solitary confinement due to shortage of cells in the prisons.

During the colonial period, the punishment of imprisonment became increasingly harsh. Endorsed penal sentences by colonial and disciplinary authorities in respect of Africans whether corporal punishment or the death sentence were severe. It seems that colonial authority aimed at imparting fears in the mind of Africans to ensure smooth running of colonial state. Corporal punishment with a light rattan cane free from knots and less than half an inch or more than 3 quarters of an inch in diameter was only administered to African adult offenders. In the case of juveniles a cane similar in dimension was provided but of lighted type rather than that specified for adults.²⁶⁰ In Germany East African territories, such strokes did not exceed 15,²⁶¹ while in Zanzibar Protectorate, they did not exceed more than 12 strokes. Flogging was administered during or after long marches during imprisonment. In all cases of corporal punishment, the blanket was provided for protection of the buttocks.²⁶² Despite that corporal punishment rule 53 (3) of prison decree of 1932 proclaimed that no sentence of corporal punishment shall be passed up on females, males under death sentence and male more than forty five years of age.²⁶³ Coupled with the decree there was

²⁶⁰ ZNA GA6/1 Minutes 1933-1940, A Corporal Punishment Return for the Half year by Superintendent of Prisons, W.H. Ingram, 1933.

²⁶¹ William, "The Role of Prisons in Tanzania, p. 30.

²⁶² ZNA GA6/1, The Letter from superintendent of Prison to Chief Secretary, 1939.

²⁶³ ZNA AB61/14, Prison Decree 1932, Corporal Punishment Rule 58 (3).

no evidence of sentence of corporal punishment for female offenders in colonial prisons in Zanzibar. Oral sources inform that women were sentenced to simple labor and were exempted from corporal punishment.²⁶⁴ According to oral sources colonial prison did not target much the female offenders for two reasons. Firstly, incarceration of females was very rare because culturally a woman avoided many crime risks. Secondly, due to weakness, the woman was not a productive body.²⁶⁵ Therefore, almost during the whole colonial period the number of female offenders in prisons was low, but also the few who were incarcerated given such as agricultural works in the camps.

Customary punishment supposedly repugnant to the European standards had been banned, yet the colonial regime allowed the prison administration to retain beheading as a humane method of execution. Contrary to the prison reform ideals in Europe and United States, the colonial regimes in Zanzibar and Africa in general did not prevent prison administration from utilizing archaic forms of punishment such as corporal punishment and death sentence. The death sentences were recurrent in prisons till the end of colonial era. For instance, in 1961, there were two (2) cases of execution.²⁶⁶ It seems such practice was inbuilt to the coercive system of colonial domination over the Africans. However, one prisoner who had received sentence of death at CP was commuted to life sentence in 1960 a

²⁶⁴ Interview with Mr. Amer Amer Soud held at Bwejuu in Zanzibar, 09/09 2017.

²⁶⁵ *Ibid*,

²⁶⁶ ZNA GA1/2, Annual Report of the Treatment of Offenders, 1959, 1961.

rare event. The execution was normally carried out at the CP where complete segregation was provided to prisoners under sentence of death. Such prisoners were also kept under close supervision during the day and night.²⁶⁷

The colonial administration used capital punishment and corporal punishment believing that sentence of imprisonment was insufficient for African being a delinquent race. Hynd notes that the driving force for capital punishment came from the colonial power intent to reinforce local order and colonial rule over the Africans. Death penalty was not a retributive measure against the individuals, except that it deterred others from challenging the power of colonial authority. Most of the time capital punishment in Zanzibar Protectorate was mandatory for murder.²⁶⁸

Despite punishment that aimed at economic end of prison institution, colonial prison in Zanzibar Protectorate involved a payment scheme to the prisoners. The payment scheme was in operation at prison camps for the prisoners. The scheme aimed at creating prisoners' incentive to work, and embodied in it the grading and classifying system. Those with good behaviours were provided with various grades. Convict leaders at the central prison and prison camps were given fifty (50) cents per week, which could be spent on certain luxuries such as cigarettes, sweets and drinks, .Prisoners at camps could accumulate their earnings that were paid to them

²⁶⁷ ZNA GA1/2, Annual Report of the Treatment of Offenders, 1960.

²⁶⁸ Interview with Mr. Amer Amer Sudi held at Bwejuu in Zanzibar, 09/09/2017.

on discharge. An informant also adduced to the fact that prisoners during the colonialism in Zanzibar were paid some amount of money in order to satisfy their needs on discharge.²⁶⁹ In 1956, the prison visiting justice committee endorsed the suggestion of the prisons commissioner that the convicts who had earned money under the payment scheme might be allowed to purchase tobacco and cigarettes.²⁷⁰ The payment scheme was classified into A, B, C, and D. In 1950, the prisons administration added the fourth category, but it was 3 categories in 1947. The scheme was subject to substantial changes from year to year. Industrious and capable prisoners could earn money after completion of imprisonment. For instance, in category A capable and industrial prisoner who worked well without supervision earned 1 sh. In category B, industrious prisoners who were not very capable but worked well without supervision earned 64 cents per month and in category C, capable prisoners who required fulltime supervision earned 25 cents per month.²⁷¹ The fourth category of lazy and incapable prisoners earned nothing.²⁷²

In 1957, the scheme had the similar grade like that of 1950, but the prisoners were paid in accordance with their conducts in work and duration of their sentence. For instance, grade A prisoners with special responsibilities, including cooks, watchmen, vegetable gardeners, and store

²⁶⁹ Ibid.,

²⁷⁰ ZNA AB61/5, Report of the General Administration of the Prisons, 1957.

²⁷¹ ZNA BA49/11, Annual Report on Prisons, 1947.

²⁷² ZNA BA49/14, Annual report for the Treatment of the Offenders, 1950.

men were appointed by Prison Commissioner. Convict leaders (black cap) were paid 1 sh. and 15 cents per month. Grade B prisoners who had completed 6 months at the camps, and whose work and conduct was satisfactory were paid 1 sh. Grade C prisoners who had completed 3 but less than 6 months at the camps and worked whose conduct was satisfactory were paid 65 cents per month. In Grade D, all prisoners were first transferred to the camps until they qualified for grade C and above. The prisoners at camps were also credited with their earnings on discharge. The scheme gave prisoners something to work for and the special badges were provided to various grades.²⁷³ Prisoners were provided with tools for their trade, technical consultancy and financial assistance to a start trade.

In addition prisoners benefited from wireless services. Film shows were provided by the Information Department at central prison and prison camps.²⁷⁴ Film shows were not intended to provide entertainment for the general body of prisoners and to keep them in touch with the outside world. Thus, they were intended to supplement to educational as well as recreational programmes of the prison. The wireless was only used for broadcasting news bulletins- not more than once a day- and any important speeches or events of national importance.²⁷⁵

²⁷³ ZNA AB61/5, Report of the General Administration of the Prisons, 1957.

²⁷⁴ *Ibid.*

²⁷⁵ ZNA GA5/3 Annual Report on the Treatment of the Offenders, 1953.

Moreover, the system of aftercare became an additional aspect of penal institution in Zanzibar. Prisons administration established the system of aftercare that helped prisoners to solve their personal problems on discharge. The system of aftercare helped the prisoners on discharge to find employment, helped to regain former employment, issued with tools on repatriation to their home on mainland, issued with rations whilst in search for work and assisted with transport to their homes.²⁷⁶ However, the prison administration was unclear on implication of system of aftercare because of the vastness of recidivism in colonial Zanzibar. This implies that the colonial prison was not, as Bernault asserts, to ensure new forms of social harmony.²⁷⁷ The increase of recidivism shows that the system of aftercare did not satisfy needs of prisoners on discharge. To some extent the colonial prisons seemed to reduce wave of criminal activities. The prison institution was used to control crimes such as thefts, murder and alcoholism. The archival and oral resources revealed that during 1950s such activities increased because of unemployment and alcoholism.

Some informants believe that establishment of colonial prisons had the benefit to Zanzibar society since they reduced the problem of theft in Zanzibar. But they also admitted that during 1951 the rate of theft activities increased in town and villages of Zanzibar. They acknowledged that robbery, burglary and pocket theft were threats to Zanzibar society,

²⁷⁶ ZNA BA49/4, Annual Report on the Zanzibar prisons, 1931.

²⁷⁷ Bernault, *Politics of Enclosure in Colonial and Post-Colonial Africa*, p. 4.

especially women. To avoid such things people wholeheartedly cooperated in exposing several notorious thieves in town and rural areas to the colonial administration that imprisoned them.²⁷⁸ One respondent mentioned notorious thieves from urban and villages of Unguja such as Antar at Mfereji wa wima, Yuhibu at Fuoni, Hajar bin Suwed at Muembemchomeke, Ali Kordi at Dunga, Simai Mkoba at Umbuji, Suleiman Makame Chui at Bambi, and Amar at Koani.²⁷⁹ This study discovered that criminal activities were threat to running of any state. Establishment of colonial prisons was mainly important in the maintenance of peace and security of Zanzibar Protectorate. From that ground, colonial authority reduced the problem of criminal activities more over for their interests, otherwise they could firstly reduce unemployment problem.

The colonial report reveals that there was significant increase in criminal activities that resulted in number of prison population during that period, especially those from the mainland of African territories. Such increase of prisoners (both Zanzibarians and mainlanders) was attributed to unemployment. Thus, a suggestion was made to limit the immigrant labour, the source of such crimes.²⁸⁰

About half of the prison population consisted of mainlanders from African territories, a substantial proportion compared to the respective totals of two types of population. Money scarcity in the protectorate was the reason

²⁷⁸ Interview with Mr. Amer Amer Sudi held at Bwejuu in Unguja, 09/09/2017.

²⁷⁹ Ibid.,

²⁸⁰ ZNA GA1/2 Annual Report of the Treatment of the Offenders, 1959.

behind increase in offences against property. Offenders were made to serve imprisonment sentence in default of paying fines.²⁸¹ Oral sources explain why the criminal activities were largely attributed to non-Zanzibar subjects. One informant suggested that probably they had no relatives to rely on other than employment. Such lack of employment opportunities led them to be engaged in crimes such as theft.²⁸² Such criminal activities increased mass incarceration rather than the capacity of prison accommodation and services that overstretched them.

Colonial authority could not afford to ignore the problem of recidivism due to the fact that prison facilities for prisoners were insufficient. Most of the penal systems in the world unanimously accept that rehabilitation or reformation of the prison inmates is the significant objective of imprisonment. In this regard, Williams argues that few countries in the world do not incorporate rehabilitative ideas in the penal system. He views that the prisons have universally failed in the task of changing people from their criminal habits to the law abiding citizens. Based on that ground, he concludes that imprisonment is none but an extremely important catalyst to problems of recidivism.²⁸³

The problem of recidivism was seen as a normal phenomenon in the prisons context. Most of the analysts and historians of penal network laid blame on government policy of the colonial or post independent state. Social

²⁸¹ Interview with Prof. Abdul Sheriff held at Dar es Salaam , 15/10/2017.

²⁸² *Ibid.*,

²⁸³ Williams, *The Role of Prisons in Tanzania*, p. 34.

inequality among several people accounts for people to get discontented and resort to crime. This also explains the problem of recidivism.²⁸⁴ This is to say unless incarceration rehabilitated offenders, the recidivists would increase because during discharge the discontent on unemployment forced them to resort on criminal activities. Similarly, Branch concluded that the system of prisons administration and experiences within prison affected level of recidivism.²⁸⁵

The impact and nature of the colonial prisons policy did not seem to vary significantly from one colonial authority to another. On the side of Zanzibar Protectorate, archival sources show that recidivism increased the prisons population. The colonial prisons reports point out that figures of recidivism seemed to increase in number almost in every year. For instance, the number of recidivism was 440 in 1960 as against 307 in 1959.²⁸⁶ In 1962, there was an increase of 49 over the previous year, that is, 261 against 212 in 1961.²⁸⁷ It was noted that there was an increase in the number of short sentence recidivists than usual. These recidivists were commonly petty thieves, pick pockets and a large number of drunk as well as disorderly people. Those who committed more serious offences such as burglary, house breaking and robbery were incarcerated for longer periods than in the past.

²⁸⁴ Ibid.,

²⁸⁵ Branch, *Imprisonment and Colonialism in Kenya*, p. 246.

²⁸⁶ ZNA GA5/3 Annual Report of the Treatment of the Offenders, 1960.

²⁸⁷ ZNA GA5/3 Annual Report of the Treatment of the Offenders, 1962.

The increase of recidivist shows that the colonial prison institution in Zanzibar and other colonial states failed to comply with rehabilitative measures on the prisoners. Instead the prison became largely an institution for imposing physical punishment to keep prisoners obedient in accordance with the European economic interest as Marxist theory of state postulates that, main objective was to maintain the common affairs of capitalist regime.

Colonial prison institution in Zanzibar Protectorate had shown a significant importance in relation to the colonial economy. The colonial states perceived convict labour as a vital part of the colonial economy. To achieve that goal, the colonial authority considered convict labour as a significant aspect in the prison administration. Because of various functions of the convict labour, it was tied with other aspects such as establishment of various camps, use of colonial medicine, system of remuneration and after care. All such things aimed at increasing incentive to work. Convict labour whether employed inside or outside the wall of prison on agriculture or work of public nature or in the prison industries benefited the colonial economy.

Socially, the colonial prison institution in Zanzibar Protectorate acted as an instrument of social and crime control. Construction of colonial prisons and use of social segregation aimed at imparting fear as well as obedience in the mind of African to preserve the master- servant relationship. Colonial prison institution in Zanzibar inflicted corporal as well as capital

punishment to those who breached the local laws as well as colonial orders. The very nature of capitalist economy that diminished peoples' living standards. As a consequence, it led people to commit crimes. Present study found that crisis in colonial economy led to the rise of unemployment that caused to the increase of criminal activities. Poor services and lack of infrastructure in prisons resulted in recidivism and increase in number of prisoners. Over all, colonial prison in Zanzibar reduced criminal activities to some extent. But as seen above the colonial prison in Zanzibar was largely an institution of punishment rather than of rehabilitation and reformation. It was colonial instrument of hegemony and control to serve socio-economic interest of colonial authority.

CHAPTER FOUR

THE ROLE OF PRISON INSTITUTION IN SHAPING POLITICAL RELATIONS IN ZANZIBAR FROM 1890 TO 1963

4.0 Introduction

This chapter consists of two sections. The first section discusses how the colonial prisons contributed to the emergence of political consciousness in Zanzibar. The second section explains the role of prisons in shaping political relations in Zanzibar.

4.1 Prison Institution and the Rise of Political Consciousness in Zanzibar

The prison was an important institution in colonial government and was driven by the need for a broad agenda of domination. Bernault argues that the prison did not only emerge after the European had imposed full control over colonies but also served as a crucial tool to carry on control wars against Africans.²⁸⁸ The history of colonial prisons in Zanzibar was quite different from other colonial territories in Africa. After being Protectorate (1890) Zanzibar was under dual foreign rules simultaneously -the sultan (His Highness) as well as the British rule (Her Majesty). Zanzibar British Protectorate gave the British political, social and economic authority over the sultan and his subjects. British used prison institution as a state apparatus for managing common affairs of the ruling class. Probably the colonial prisons in Zanzibar controlled not only Africans but also the Arabs who went against affairs of British government.

²⁸⁸ Bernault, *Politics of Enclosure in Colonial and Post-Colonial Africa*, p. 3.

Establishment of colonial prison institution aimed at controlling political dissents in Zanzibar Protectorate in order to impart fear in the mind of Africans and to stop demanding their rights. However the study discovered that colonial state dug a grave of its own since it caused prison administration to influence the emergence of political consciousness in Zanzibar. Its history is connected with formation of associations that were later transformed to political parties. Historical sources show that the relationship between prison institution and emergence of political consciousness in Zanzibar was mainly noted during ‘Zama za Siasa’ (Period of Politics) - from 1950s up to 1963. However, Seyyid Khalid (1896) was thought to be the first prominent political leader in Zanzibar to be sentenced to imprisonment.²⁸⁹

Seyyid Khalid was imprisoned as he was against British authorities in Zanzibar. This was confirmed during interview with some of historians. One respondent pointed out that Seyyid Khalid was incarcerated during early period (1896) of Zanzibar being a British Protectorate -before the rise of political awareness among people of Zanzibar.²⁹⁰The prison institution was used as an instrument of controlling those who went against the colonial rule irrespective of the status as well as race of people. For an instance, Seyyid Khalid, an Arab from royal family, was imprisoned. Imprisonment of Khalid was on the ground that he was against the British authority. The oral informant said that by 1896, the colonial regime decided to enthrone Seyyid Hamoud bin Mohammed (a pro- British Rule) instead of the right inheritor of the throne- Seyyid Khalid bin Barghash that made Khalid to take the throne by force. The respondent added that the colonial government not only frustrated Khalid

²⁸⁹ Interview with Prof A. Sheriff held in Dar es Salaam, on 15/10/2017.

²⁹⁰ *Ibid.*,

on the issue of throne but also on the issue of the salary of sultan being decided by the British government.²⁹¹ This implies that the sultan during that period remained the ceremonial figure because the sultan and Zanzibar affairs were being decided by the British government. In Zanzibar, the prison institution was used by the colonial administration as a political instrument to maintain their power and repressed those who were against the colonial government and its order.²⁹²

The British colonial government decision of enthroning Seyyid Hamoud caused the Anglo-Zanzibar war (commonly known as the Shortest War in the world) against Seyyid Khalid that led to many consequences such as death of sultan's troops, his subjects and total destruction of "Beit-el Hukmu"²⁹³ and some parts of "Beit el Ajab".²⁹⁴ The war was fought on June 27th 1896 and it took less than 40 minutes (9:00am-9:38am). The British regarded Khalid as a rebel. He was sentenced to imprisonment. But in 1921, might be due to intelligence issues, he was imprisoned at Saint Helena Island. Then he was sent to Seychelles.²⁹⁵ He suffered a lot because of this. This gives credence to Sarkin's postulation that the prisons maintained colonial control over the occupied territories, and the indigenous population.²⁹⁶

²⁹¹ Interview with Mr. Khamis Ali (65) held at Old Fort in Unguja, 23/09/2017.

²⁹² Bowles, *The Struggle for Independence 1946 -1963*, p. 95.

²⁹³ Beit- el Hukmu (House of court)

²⁹⁴ Beit- el Ajab was a sultan palace which means House of wonder.

²⁹⁵ Interview with Prof. Abdul Sheriff held in Dar es Salaam, 15/10/2017.

²⁹⁶ Sarkin, *An Overview Human Rights in Prisons Worldwide*, p. 13.

The colonial powers arrived from Europe and they utilized imprisonment largely as means to control and exploit potentially rebellious local populations.²⁹⁷ Similarly, Sarkin underscores that Africans' earliest experience with formal prisons was not with an eye toward rehabilitation or reintegration of criminals rather the economy, political and social subjugation of indigenous population.²⁹⁸ Therefore, the history of African prisons also shows that incarceration was brought to the continent from Europe as a means to subjugate and punish those who resisted colonial authorities.²⁹⁹ Policy regulations of colonial administration in Zanzibar were strongly opposed by the sultan subjects since they had similar reactions to them. The British advocated and promoted racism in all aspects of life. Before the Protectorate, Zanzibar had social stratification only rather than racism. The British colonialists in Zanzibar planted the seed of racism that promoted strong disparities amongst the citizens and also between the sultan and his subjects. It was the policy of British rule to divide and rule. Worse than that the British monopolized all sorts of agriculture and commercial institutions. The situation affected the whole system economically as well as socially. Later on, racist feelings shifted to politics of Zanzibar that started in 1950 and forced Zanzibarians to struggle according to their races. But the British rule used prison institution to maintain its racial hierarchy over the local population.

²⁹⁷ ZNA GA5/5 Gratuities, Pensions Individuals' Prisoner,

²⁹⁸ Sarkin, *An Overview Human Rights in Prisons Worldwide*, p.24.

²⁹⁹ *Ibid.*,

The discontent of Zanzibar populations was seen soon after the forced treaty was signed between Seyyid Ali bin Said, the sultan of Zanzibar and Queen Victoria, the Queen of England on June 14th of 1890. From that period to 1963 Zanzibar became the British Protectorate. Practically the whole period of British Protectorate, the sultan and his subjects remained under British control and the sultan was a ceremonial figure under the British authority. The prison institution was to punish both the sultan and his subjects. As a state apparatus it was used to suppress the local population through various means. For instance, colonial agricultural administration introduced inoculation in order to get rid of infectious diseases of cattle in Zanzibar.

On the side of peasants, they strongly opposed that order from colonial authority by believing that such vaccination would cause destruction for their herds. It led to tension and war between the peasants and colonial forces. The war commonly known as “*Vita vya Ng,ombe*” (*Cattle Riot*), occurred in 1951.³⁰⁰ Consequently, the riot led to imprisonment of more than ten peasant leaders. In retaliation, the peasants from different villages decided to storm the CP at Kiinua-Miguu to secure release of their leaders. They broke in, overpowered the guards and took away their leaders.

When the revolt was subsequently suppressed by massive use of force, the leaders were rearrested, charged with inciting riot and sentenced to

³⁰⁰ Ali Shaaban Juma, *Abeid Karume 1905-1972*, (Zanzibar, Tanzania: Rafiki Publishers, 2013), p.

imprisonment. Most of the prisoners were from the village of Kiembesamaki, Chukwani, Kombeni, Dimani, Bweleo and Fumba in Zanzibar.³⁰¹ Colonial incarceration shaped the political landscape of Zanzibar. Immediately after release, they became martyrs and authentic leaders of the ensuing peasants' movement. Prominent among these were Maalim Zaidi Mbarouk, Miraj Shaalab, Vuai Kitoweo, Maksud Fikirini, Mwandoa Khamis, Wazir Ali bin Maalim, Haji Hussain Ahmed, Othman Soud, Abdulla Mahmoud Kombo (from Makunduchi), Ramadhan Tosir, Maalim Hija (from Ndijani), Skh. Ame, Skh. Abdulla Mali, Skh. Haji Kombo (from Kiboje), Skh. Abdalla Mahmoud and few others.³⁰² The prison institution in Zanzibar Protectorate cemented consciousness of the peasants against the British authority as well as their administration and laid down the foundation for the emergence of the political consciousness during "*Zama za Siasa*".

As soon as they were released following massive popular pressure, peasants decided to organize a political movement for independence as the only permanent solution to their problems.³⁰³ They established a political party by the name "*Hizbu- el Watan*" (peoples' party).

The party was later on changed to "*Hizbu- el- Watan- Li- Raiyat- Sultan*" (Party of the country for the Sultan Subjects). Results from interviews disclosed that the colonial regime in Zanzibar like in other territories in

³⁰¹ *Ibid.*, also interview with Mr. Khamis Ali (65)held at Old Fort in Unguja, 23/09/2017.

³⁰² Fairouz, *Ukweli ni Huu*, p.21.

³⁰³ Interview with Prof. Abdul Sheriff (70)held at Dar es Salaam, 15/10/2017.

Africa used imprisonment as a measure to suppress any kind of discontent from the local population. Subsequently, peasants' incarceration by the colonial prison contributed to emergence political consciousness and unity among people. They decided to establish the political party in order to fight against the colonial regime as can be seen in the following section. This study has discovered that even though colonial state established prisons institution to control their subjects, it sowed the seeds of its own destruction.

4.2 The role of prisons as state institution in shaping political relations in Zanzibar from 1890 to 1963

Generally, a vast majority of prisoners in the world are not incarcerated on the ground that they are criminals, rather they have been alleged to breach laws and orders designed to up hold social control and owing to state repression. Empirical studies show that politically, the prisons in colonial Africa were used as instruments of controlling African population. The prisons, as argued by Sarkin, controlled political dissents and maintained colonial control over the occupied territories including the indigenous population.³⁰⁴

Studies on penal system show that prison institutions played a major role in the politics of Africa. For instance, before introduction of Apartheid system in 1948, Southern Africa used prison institution to facilitate white and capitalist domination.

³⁰⁴ Sarkin, *An Overview of Human Rights in Prisons Worldwide*, p.13

Through Apartheid, Buntman argues, laws and Acts were introduced.³⁰⁵ For instance, the passed laws that regulated the rights of African to live and work in specific areas and the post Union 1911 Prisons and Reformatories Act codified racial segregation in prison.³⁰⁶ African Watch Prison Project points out that the prison system in Southern Africa was actively used for political purposes. In 1960s, a large number of prisoners were detained without trial. The report also analyzes various changes in prison legislation that affected three striking features of South African prisons, including the system of racial segregation, strict secrecy surrounding prison matters and use of corporal punishment.³⁰⁷ This implies that political prisoners were affected by the system of colonial prisons of racism, corporal punishment and the secrecy surrounding prison matters. The political prisoners during Apartheid system were also detained without trial. Political incarceration increased the problem of overcrowding in the colonial prisons as well as post- colonial prisons.

In Zanzibar Protectorate context, the prisons were part of a wider set of institutions designed to confine and control the Zanzibar population, even though there were similarity and dissimilarity in the political role of prison institutions. The prison institution in Zanzibar Protectorate played a major role in maintenance of law and order to uphold the authority of colonial government. Generally speaking prisons

³⁰⁵ Fran Buntman, Prison and Democracy: Lesson Learned and Not Learned, from 1989- 2009", Vol 22, No. 3, *International Journal of Politics, Culture and Society*, Vol.22, No.3 1989 and Beyond: *The Future of Democracy* (2009), p. 403.

³⁰⁶ African Watch Prison Project, *Prison Conditions in South Africa*, (New York: United States of America, 1994), pp. ix-x.

³⁰⁷ African Watch Prison Project, *Prison Conditions in South Africa*, p.1.

were the colonial political institution that implemented colonial interests. Archival and oral sources show that there were other undesirables as well as those who had consciously and politically resisted the injustice as well as inequality of colonial state system of social control. The colonial regime criminalized all and deemed them as political dissents. These prisoners were political prisoners.

Political prisoners in Zanzibar were among the most feared by the colonial system. It seemed that prisons enabled the colonial rule, but at the same time both political and criminal prisoners used prisons to oppose the colonial regime. For instance, during the period of politics, the period from 1950s to 1963, the political dissents were victims of colonial prisons in Zanzibar. Archival and oral sources reveal that prisons were used to ban independent media coverage and detained the political opponents of the colonial government.³⁰⁸ In fact, the prison was used by colonial authority as a weapon against the political activists. An oral informant revealed that colonial administration was always against opposition parties that emerged in Zanzibar Protectorate.

The political parties during that period were Afro-Shirazi Party (ASP), Zanzibar Nationalist Party (ZNP)³⁰⁹, Zanzibar and Pemba Peoples' Party (ZPPP) and Umma Party. The respondent added that the colonial authority aimed at weakening and even total destruction of strength of political parties. Therefore, they looked for any opportunity to achieve their goal.

³⁰⁸ Interview with Mr Amour Rajab Amour (71) held at Fuoni in Unguja, 15/11/2017.

³⁰⁹ Hizbu al- Watan led to the rise of ZNP,

In 1961, they incarcerated Abdul-Rahman Babu who was charged on the case of publishing an article against the colonial authority in the newspaper known as *The News*- an independent newspaper of Babu.³¹⁰ Babu was accused of using abusive language and insulting the Commissioner of Police in his newspaper. The colonial prison incarcerated Babu for eighteen months on the ground that he violated the colonial authority. The attempt of colonial prison to incarcerate Babu stimulated strong hatred to the British authority. ZNP (Hizbu party) committee and its members believed that the attempt of colonial regime to imprison Babu³¹¹ was aimed at lessening strength of *Hizbu* party in the struggle for liberation of their country from colonial rule.³¹²

In addition, the political role of prison did not seem act only on the individual political activist but also on collective members. British colonialist in Zanzibar used prisons institution to stop people to fight for their rights. From the beginning of the Protectorate, the British employed various tactics to divide Zanzibar society. The British government used divide and rule strategies to guide people to identify themselves according to their ethnicity. The situation affected the whole system economically as well as socially and later on, the image of ethnicity reflected in the political struggle that started at the beginning of 1950s. One respondent argued that at the beginning of 1930s several ethnic associations were established. The prominent ones were Arab Association, African Association, Shiraz Association,

³¹⁰ Fairouz, *Ukweli ni Huu*, p.51.

³¹¹ Among the prominent leaders of ZNP before establishing his political party (Umma Party- 1963) at the late stage of independent struggle.

³¹² Fairouz, *Ukweli ni Huu*, p.51.

Indian Association and Comorian Association.³¹³ Before 1950s, each ethnic group individually sought its rights through its association.³¹⁴

The history also shows that together with the ethnic associations, in 1931 the Labour Act was introduced. Later on, in 1941, it was amended whereby that Act authorized workers to join the organization of workers.³¹⁵ This implies that Zanzibar society raised their voices through their associations and organizations to show their grievances against the colonial government. The archival and oral sources also show that the colonial government used power through prison administration to undermine any operational activities organized by opponents of colonial government. For instance, during the afternoon of July 30th 1951 a regrettable incidence occurred when the civilian mob between three hundred and five hundred strongly attacked the prison in an attempt to release seventeen prisoners who had been sentenced for an offence under Section (Sec.). 12 of Animal Diseases of 1948. The superintendent and eight warders managed to hold the doors that were badly damaged and had to be replaced afterwards.³¹⁶ Several documents and other oral sources contend that the imprisonment power was employed to control and stop any attempts that sought to break the colonial administration orders.

The respondents claimed that the colonial administration of agriculture required the peasants to inoculate their animals (cattle). But the peasants were against the vaccination partly because they suspected that the vaccine could cause death to their

³¹³ Interview with Mr Khamis Ali (65) held at Old Fort In Unguja, 23/09/2017.

³¹⁴ Interview with Dr. Abdulla Mkumbukwa held at State University of Zanzibar, 13/10/2017.

³¹⁵ Juma, Abeid Karume 1905-1972, p. 7.

³¹⁶ ZNA BA49/15 Annual Report on the Treatment of the Offenders, 1952.

cattle. Tension occurred between police forces and peasants whereby seventeen peasant leaders were detained. An attempt was made by the peasants to attack the prison in order to release their leaders. Even though the peasants succeeded to release their leaders from prison, they were sentenced to imprisonment again. It is the fact the insurgents sought to change the colonial regime that sought to control the political and social activities in Zanzibar Protectorate. According to Bantuman, the prison institution influenced the colonial rule, but all the prisoners whether political or criminal opposed the white rule and their administration.³¹⁷

After their release from jail the peasant leaders gathered together and established the political party by the name "*Hizbu el- Watan*" (peoples' party).³¹⁸ Later on, in 1956, the party changed name to ZNP and it was the first political party in the History of Zanzibar followed by ASP in 1957, ZPPP in 1959 and Umma Party in 1963. This shows that the political prisoners used prisons to construct modes of social organization and political control simultaneously. The prison institutions enabled the colonial regime to control social, economic and other forms of power over colonial population. Similarly to the settler colonies of Southern Africa, Rhodesia and Kenya, the political opponents were subject of detention or political imprisonment. Many had spent years, even a decade in isolation control units for no other reason than their political association and political crimes. The most significant political prisoner in this regard was Mandela who was incarcerated in isolation in Robben Island. From 1960s, increasing number of detainees (untried) and political prisoners

³¹⁷ Fran Buntman, "Prison and Democracy, p. 403.

³¹⁸ Juma, *Abeid Karume 1905-1972*, p.13.

(tried and untried) were incarcerated. For instance in 1961, Mandela was convicted for inciting people to strike and left the country without passport. Mandela was sentenced to five years imprisonment and later on he was sentenced to life imprisonment on sabotage charge.³¹⁹

According to Buntman, the prison institution was used by antiapartheid activists and organization to train, recruit sustain morale, cultivate leadership and educate their members with important consequences for the nature as well as strength of apartheid's opponents in Southern Africa and beyond.³²⁰ Moreover, Buntman insists that the facts and conditions of incarceration were the focal points of opposition to the apartheid regime within Southern Africa and more importantly, internationally.³²¹ This is to show that prison institutions played a significant role in the politics of Southern Africa, similar to the prisons institution in the British Protectorate in Zanzibar. However, in Zanzibar Protectorate there were slight differences. In Zanzibar, political prisoners were incarcerated in the same prison without any kind of isolation and they usually were incarcerated at Kiinua-Miguu. Even though the history of Zanzibar shows that in the British Protectorate there were three prisons: one each in Zanzibar, Pemba, and Changuu islands. Changuu Prison Island had the same features like that of the Robben Island, yet the political prisoners in the Zanzibar British Protectorate were incarcerated in only CP in Zanzibar Island.

³¹⁹ Nelson Mandela, *Long Walk to Freedom*, (United States: Macdonald Purnell 1994), p. 159.

³²⁰ Buntman, "Prison and Democracy, p. 403.

³²¹ *Ibid.*,

In addition to that ten members of Executive Committee of Arabs Association were sentenced to imprisonment at the CP on a charge of conspiring together to do an act of seditious intent by publishing an article in their official newspaper Al- Falaq (The Dawn) on Wednesday 12th May 1954. The editor of the article was A.M.N. Lemky.³²² The incarceration as Lofchie reveals included the prominent figure in the organizational and ideological development of the ZNP such as Ali Muhsin Barwan, a journalist and Amour Zahor, a retired police officer.³²³ According to Lofchie, the Arab Association in the article demanded for constitutional reforms and the establishment of a ministerial system.³²⁴ Yet, the fact is that the sentence of imprisonment became the dominant mode of punishment during “*Zama za Siasa*”. Imprisonment, according to Foucault, was a political tactic used by colonial power³²⁵ to influence the colonial authority over the colonial population.

The colonial regime made an effort to use imprisonment as the political weapon to suppress the spread of political consciousness amongst the local people. However, the wave of political struggle seemed to flourish in Zanzibar. Nationalist movements emerged in the mid- fifties. No doubt that the main objective of the political activists in Zanzibar was the liberation of their country. However, the main problem of those politicians can be seen in their way of gaining their liberation and political independence in particular. Historically, the politics of Zanzibar was largely constituted on two different perspectives. On the first perspective, there were the politicians who wanted their liberation from colonialists as well as removal of

³²² ZNA BA49/19 Annual Report on the Treatment of the offenders, 1955.

³²³ Michael Lofchie, Party Conflict in Zanzibar, *The Journal of Modern African Studies*, Vol. 1, No. 2 (1963), p. 189.

³²⁴ *Ibid.*, p.189.

³²⁵ Foucault, *Discipline and Punishment*, p. 23-24.

sultanate from the land of Zanzibar.³²⁶ The politicians on the second perspective believed that the sultan was the citizen of Zanzibar and therefore should remain in Zanzibar as sultan, but they wanted the liberation from the British government as underscored by Aman Thani.³²⁷ ZNP politicians had no doubts with the Sultan, they contested in order to remove British colonialism in Zanzibar while ASP believed that the Arabs and the sultanate who were minority owned the land and the African majority were landless and therefore they wanted to liberate from colonialism and sultanate.³²⁸

The political role of colonial prisons in Zanzibar was significant from the beginning of the British Protectorate, it became profound during the June 1961 political election. Historically, Zanzibar Protectorate performed four political elections; the election of July 1957, January 1961, June 1961 and June 1963. However, June 1961 election was the most known political election that involved the massive political incarceration in the Zanzibar Protectorate.

The colonial electoral commission conducted the third multi-party election in Zanzibar on 1st June 1961. The colonial political elections of June 1961 was hotly contested one. The said election involved three opposition parties, namely ASP, ZNP and ZPPP. The election was marked by turbulence and disorder for almost one month. The road towards the struggle for the liberation of Zanzibar was still far too long to be achieved. Juma points out that that election was characterised by tensions and disorder from various areas of town and villages that continued from the first

³²⁶ Fairuz Ukweli ni Huu, p.119.

³²⁷ *Ibid.*,

³²⁸ Interview with Mr. Khamis Ali (65) held at Old Fort in Unguja, 23/09/2017.

day of election to 23rd of June 1961.³²⁹ Despite announcement of state of emergency by the colonial authority, the insecurity and great turbulence spread in various parts of town and villages of Zanzibar Island. He added that the riot of June 1961 cost hundreds of lives and properties due to killings and thieving. The colonial prison then played its role, as hundreds of people were incarcerated at various places and on several occasions. It was estimated that 1399 people were incarcerated during that period and most of them were ASP members.³³⁰ A great number of them were accommodated at the CP that led to overcrowding. Thus, political activities resulted in mass incarceration at CP.

To conclude, the prison institution in Zanzibar Protectorate was a state apparatus. It was established by the British government to maintain colonial influence in Zanzibar Protectorate. Because of the important function of the said institution, British rule established prisons in various parts in Zanzibar and Pemba islands at the early period of Zanzibar British Protectorate.

The history of Zanzibar shows that prison institution played an important role in the politics of Zanzibar. But its major role can be seen largely during the period, commonly known as the period of politics. The said period started in the mid of 1950s whereby multi-party politics appeared. The colonial government used prison institution as a political institution to punish those who were anti-British. During that period, a relative large number of political leaders were incarcerated either individually or collectively. The colonial government used intensive and extensive force to suppress the local population and violated the right of speaking through

³²⁹ Juma, *Abeid Karume 1905-1972*, p.57-65

³³⁰ *Ibid.*, p.65.

mass media. Such actions were deemed rebellious against the colonial authority. This study has discovered that colonial authority used visible power to suppress political activists, however the more they suppressed and incarcerated political dissents the more they created its own “grave diggers”. That situation contributed to the emergence of political consciousness and political parties in order to struggle for independence.

CHAPTER FIVE

SUMMARY AND CONCLUSIONS

5.0 Introduction

This chapter consists of summary and conclusion from the investigation on the socio-economic and political role of prison institution in Zanzibar from 1890 to 1963. The data from primary and secondary sources were used to make conclusions. This chapter also includes part of recommendation.

5.1 Summary

This study has investigated the role of colonial prison institution in Zanzibar from 1890 to 1963. The first chapter of this study has covered introduction the of the study. It has specifically focussed on three objectives namely to examine the operations of colonial prison institution in Zanzibar Protectorate, the role of prisons in shaping the socio- economic relations in Zanzibar and the role of prisons in relation to the politics of Zanzibar Protectorate.

The review literature has covered the history of prisons in Africa and in the world. The study has been guided by the Marxist theory of state and the Power Disciplinary Approach by Michel Foucault. Central argument of the thesis is to view the prison institution as a state apparatus that defend and promote the common affairs colonial state. Its main focus was to fulfil socio- economic and political interest of ruling class. The study also argues that prisons institution used power disciplines as a means for successful subjugation of the ruled class. The study employed qualitative approach and an exploratory research design. Data obtained from documentation and

interview are qualitatively analysed. The data have been transcribed thematically and have been used in the discussion of the findings.

In the second chapter the study has clearly historicized the operations of colonial prisons in Zanzibar from 1890 to 1963. The study has found that in order to smoothen the operations of colonial prison, colonial authority destroyed the local practices of social control, and constructed prisons and camps in Zanzibar. Even though prison became a new form of punishment in Zanzibar, colonial administration did not replace the pre-colonial form of punishment such as corporal and capital punishment in prisons. In contrast the colonial authority incorporated corporal as well as capital punishment along with incarceration. Secondly, the study found out that colonial prison was racially operated in all aspects related to the construction of prison including accommodation, diet, clothes and health services.

The racist feelings of the prison regime aimed at maintaining the social hierarchy of colonial society over the African to fulfil the colonial demands. Thirdly, the study found out that colonial prison infrastructure and services were poor and inadequate, and was the reason behind prison getting overcrowd and the spread of infectious diseases to prison population.

In chapter three the study examined the role of colonial prison in shaping socio-economic relations in Zanzibar society. The results from this study has revealed that the colonial prison was pictured as the instrument of social and crime control in order to smoothen the running of colonial interests. The study has shown that colonizers viewed that incarceration was an insufficient punishment for the African

subjects. Therefore, corporal as well as capital punishment had to be used alongside with incarceration to fit inferior delinquent African race as regarded by Europeans. The study found that prison institution ensured that the master- servant relationship was maintained at any cost through racial segregation as well as religious and secular instructions. Through religious and secular teachings, prisons imparted in the mind of local society feelings of respect and obedience towards the colonial regime. The study discovered that convict labour was a vital part of colonial prisons institution in Zanzibar Protectorate. It was tied with after care, remuneration, colonial medicine. A number of camps were set up in productive areas, solely to increase the incentive to work for the betterment of the economic interest of colonial state rather than for pure rehabilitative measures to prisoners and society in general.

The study found that the colonial prison was mainly a male institution and was operated on gender lines. Females were treated opposite to male prisoners and they usually lacked their basic facilities as well as services. Female offenders were usually subjected to simple labour inside the walls of the prisons because were regarded as weak bodies. Female prisoners were the most abused in the colonial prisons since they were abused in the prison environment and services as well as by male prison staff and prisoners.

Lastly, in chapter four the study examined the role of prison institutions in shaping political relation in Zanzibar. The colonial government used prisons to satisfy its political interests. The colonial prison used its political power to suppress any activities that were deemed threat to the colonial government. An instance of this was the incarceration of peasant leaders and the leaders of associations/ parties. The

study discovered that the tension between colonial prisons institution and society boosted feelings of discontent in local society towards the colonial regime that unfortunately laid the foundation for political awareness and contributed to the emergence of political parties and struggle for independence. The researcher argues that prison institution as a state coercive apparatus was used to protect the interest of ruling class. The colonial power used the prison institution as a political tactic to suppress anti-colonial activities. The study found out that prison as the political institution was aimed to control the political opponents as well as civil offenders for political, economic and social purposes.

5.2 Conclusion

Construction and operation of prison depended on the demand of the states. Colonial authorities constructed prison institution to manage the common affairs of colonial state. In order to achieve colonial interests, it was necessary for the prison to become an institution of crime and class control. This was because the state of unrest and criminal activities could hinder the effective running of colonial government. Colonial prison institution in Zanzibar Protectorate was used to maintain peace and security for the betterment of colonial regime. Therefore, colonial prisons, in Zanzibar British Protectorate to some extent helped to reduce the criminal activities, especially during 1950s whenever there was significant rise in crime waves.

Secondly, Convict labour on hard labour or simple labour was an important aspect of prison administration. Convict labour largely contributed for financial and economic purposes because it reduced the cost of colonial government expenditures for the prison institution and other colonial departments.

Colonial prison as the state apparatus was characterised by racial segregation. The operations of colonial prisons in Zanzibar were influenced by the racist feelings of colonial authority that largely aimed at maintaining colonial social hierarchy in order to freely control and subjugate the local population. Racist ideas were used in all facets of colonial prisons and they were a useful tool that distinguished whites from local population. In fact, white prisoners enjoyed all privileges of colonial prison such as accommodation, diet, clothes and health services. They were exempted from hard labour as well as corporal punishment and capital punishment because they were regarded as a civilized race. On the other hand African offenders served as a source of labour. In addition to that corporal punishment and capital punishment made local Africans obedient to the colonial authority. Therefore, construction of colonial prisons was basically racial that was operated to fulfil the socio - economic and political interests of colonial state rather than for the benefit of the local society in Zanzibar.

Colonial prison facilities and services were poor and inadequate. Consequently, mass escape of prisoners and increase of recidivism were common rather than the reformation of prisoners. The unsanitary environment of prisons usually attributed to the rise of infectious diseases and was the cause of many deaths in the prisons. It seems that female prisoners were highly abused by colonial prison services and facilities to the extent that they were neglected and lacked their basic female needs. It can be concluded that colonial prisons construction in Zanzibar Protectorate was totally aimed at achieving colonial interests without regarding rehabilitation of prisoners and the community, in general.

All in all, colonial state sowed the seeds of its own destruction. Construction of prison institution generally stimulated the rise of political awareness and laid the foundation for the struggle of independence and Zanzibar liberation. This was because the colonial power used prison to suppress anti-colonial regime that led to rise of feelings of discontent among the local population. Even though the colonial state in Zanzibar used prison for social and political interests, it was basically to achieve economic ends.

In addition to that, British colonial administration laid the foundation of the so called modern prison in Zanzibar. Two prisons, one in Unguja and the other in Pemba, and the camps of Langoni and Kinu-cha-Moshi that were erected -from the inception of British Protectorate- by British administration are among the landmarks left by colonial prison institution in Zanzibar. They are still in use for the same purposes with a little rehabilitation and repair works.

Finally, it is important to note that this study has not fully covered the history of prison institution in Zanzibar. Therefore, further studies are suggested on the same area. For instance, a study focusing on colonial prison institution and the treatment of lunatic criminal prisoners could be conducted. The study covering post-colonial prisons in Zanzibar or a study comparing colonial and post-colonial prisons in Zanzibar could be conducted. Role of prison in the treatment of female prisoners in colonial and post-colonial prisons in Zanzibar. These are few of many themes that need to be carried for further studies of prison institution in Zanzibar.

5.3 Recommendation

From the conclusion, the following recommendation can be drawn: The main objective of punishment of imprisonment should be for deterrence and rehabilitation of prisoners. Therefore, convict labour should be the main aspect in prisons. To make inmates inactive is useless and will cost the government expenditure. Prisoners should be treated in hard labour to sustain prisons as well as other government departments. This will help in two ways. Firstly, it will help prisoners during discharge as well citizens to live free from crimes fearing imprisonment on hard labour. Secondly, it will help to reduce recidivism.

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Prof Abdul Sheriff: Dar es Salaam: 15/10/2017.

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Mr Amour R. Amour: Fuoni: 15/11/2017.

Mr Ameir A. Soud: Bwejuu: 09/09/2017.

Mr Dishoni Egal: Kitundu: 05/09/2017.

Mr Fadhil Abdulla: (89) Kiembe Samaki: 05/01/2018.

Mr Faki Othman: Forodhani: 11/09/2017.

Mr Kitwana P. Kitwana: Changuu Island: 23/9/2017.

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APPENDICES

Appendix 1: Interview Guide (English Language Version)

Research Related Questions

1. The ways in which prison institution was operated in Zanzibar from 1890 to 1963 in the following aspect:

A. ARCHITECTURE AND ACCOMMODATION.

- i. What were the pre- colonial forms of punishment in Zanzibar?
- ii. Was there a prison during the pre- colonial period in Zanzibar?
- iii. What were the forms of punishment used by the Sultan before Zanzibar became a British Protectorate?
- iv. Was there a prison before British Protectorate?
- v. What was the condition of prisons before British Protectorate?
- vi. When did the first modern prison established in Zanzibar and by whom?
- vii. What were the reasons for establishment of this prison during that period?
- viii. How many prisons are there in Zanzibar and how many were introduced by colonialists?
- ix. Are they still in use? Mention them and their period of establishment.
- x. What was the condition of prisons during the British Protectorate?
- xi. Was the colonial prison responsible of providing food, shelter and the clothes for prisoners?
- xii. Was there any kind of segregation in colonial prisons? If yes how?
- xiii. Were the cells adequate to accommodate the prisoners?
- xiv. Whether there was any attempt of separating/ segregating different types of prisoners?

- xv. Apart from food, shelter and clothes, what other facilities provided to the prisoners?
- xvi. Was the colonial prison made consideration on the needs of female prisoner (especially on accommodation and clothes)?

B.HEALTH SERVICES

- i. Was the colonial prisons responsible of the health of prisoners?
- ii. Were there hospital/ dispensaries in the colonial prisons?
- iii. Was the health services provided for prisoners relevant and adequate?
- iv. Did any hygiene and medicine provided relevant and adequate?
- v. Did any kind of disease erupt in colonial prisons?
- vi. If yes, what were the causes of such diseases?
- vii. How did the mental disorder prisoners look after during the colonial period?
- viii. Was the hard labor a cause of prisoners' illness?

2. The Role of Colonial Prison as state Institution in the Socio- economic Aspects

- i. What were the reasons behind the establishment of the colonial prisons?
- ii. Which criminal offences attributed to the incarceration during the colonial period?
- iii. Did the colonial prisons control the crimes?
- iv. Did the colonial prisons benefit the society?
- v. Were the prisoners allowed to receive visitors from their friends and family?
How often?

- vi. Were the prisoners allowed to send and receive letters from their relatives?
How often?
- vii. What was the daily routine of colonial prisoners?
- viii. What activities did colonial prisoners perform?
- ix. What were the duties and responsibilities of prisoners inside the prisons?
- x. Did the prisoners participate in any activity outside the prisons?
- xi. What were the vocational training provided by colonial prisons to the prisoners?
- xii. Whether the system of labour designed suited the needs of the colonial authority?
- xiii. What types of economic activities did the prisoners perform?
- xiv. How did the colonial prisons and prisoners contribute to the colonial economy?
- xv. Was the colonial prisoners benefited from the prisons?

3. Role of Colonial Prisons in Shaping the Political Relations in Zanzibar from 1890 to 1963.

- i. What were the political role of colonial prisons before *zama za siasa*?
- ii. Did colonial prisons uphold the strength of British colonial government?
- iii. What was the role of colonial prisons during “*zama za siasa*” (the period of politics) in Zanzibar?
- iv. Was colonial prisons attributed to repress any attempt of uprising? How?
- v. Did the colonial prisons contributed in the rise of political consciousness?
- vi. Were the colonial prisoners kept in solitary confinement?

- vii. Were there political prisoners affected by the colonial prisons' tortures?
- viii. Who were the prominent political leaders incarcerated during '*zama za siasa.*'
- ix. Which of the political parties its political leaders were intensively affected by colonial prison.
- x. .What were the role of political prisoners in the struggle of independence and liberation of Zanzibar?

Appendix 2: Interview Guide (Kiswahili Language Version)

Hojaji kwa Afisa wa Magereza, Wanahistoria, Wasomi wa Elimu ya Uhalifu, na Wafungwa/ jamaa wa Wafungwa Katika kipindi cha ukoloni.

1. Jinsi Taasisi ya Magereza ilivyoendeshwa Zanzibar kuanzia 1890 mpaka 1963 katika vipengele vifuatavyo:-

a. Majengo na Malazi

- i. Ni adhabu gani zilitolewa kuwaadhibu wenye makosa kabla ya ukoloni?
- ii. Kulikuwa na aina yoyote ya magereza kabla ya ukoloni?
- iii. Kabla ya Zanzibar kuwa himaya ya Muengereza ni adhabu gani zilitumiwa na sultan?
- iv. Katika kipindi hiki kulikuwa na magereza? Yataje.
- v. Lini gereza katika mfumo wa kisasa lilianzishwa?
- vi. Kulikuwa na sababu gani za kuanzishwa kwa gereza hilo?
- vii. Hali ya magereza kabla na baada ya ukoloni ilikuaje? Jee ilikidhi haja na kutosha?
- viii. Yapo magereza mangapi Zanzibar? Mangapi yalianzishwa na wakoloni? Yataje yote na mwaka yalioanzishwa.
- ix. Jee vyumba kwa ajili ya wafungwa vilikuwa na nafasi ya kutosha na vilipitisha hewa?
- x. Jee magereza yalikuwa na kawaida ya kubagua na kuwatenganisha aina za wafungwa?
- xi. Jee magereza kipindi cha himaya ya muengereza yalimzingatia mwanamke kuhusiana na malazi na mavazi?

b. Usafi na Afya

- i. Elezea kuhusu hali ya usafi na afya katika magereza ya kikoloni
- ii. Jee magereza katika kipindi hiki kulikua na hospitali ?
- iii. Jee usafi na dawa zilizotolewa zilikidhi haja na kutosheleza?
- iv. Ni maradhi gani yalikuwa yakiripuka mara kwa mara?

- iv. Ni nini kilikuwa chanzo cha maradhi hayo?
- v. Jee kazi ngumu ni chanzo cha maradhi ya wafungwa?
- vi. Vipi wafungwa wenye ugonjwa wa akili walikuwa wakidhibitiwa?

c. Kula na Nguo

- i. Elezea kuhusu kula na nguo kwa ajili ya wafungwa, Jee hizi huduma zilikidhi haja an kutosheleza?
- ii. Mbali na chakula na nguo walipewa huduma gani?
- iii. Jee huduma hizo zilikidhi haja na kutosheleza?

2 Nafasi ya Magereza Kijamii na Kiuchumi Zanzibar (1890-1963)

- i. Jee gereza liliweza kudhibiti uhalifu?
- ii. Jee gereza lilikua na faida yeyote kwa jamii ya Wazanzibari?
- iii. Elezea ratiba ya magereza ya kikoloni kwa siku
- iv. Wafungwa walikuwa wakifanya kazi gani?
- v. Jee afya za wafungwa Katika ugawaji kazi zilizingatiwa?
- vi. Wafungwa walipatiwa ujuzi gani wa kiufundi Katika magereza?
- vii. Vipi wafungwa walinufaika na magereza ya kikoloni?
- viii. Wafungwa walishiriki kazi zozote nje ya magereza?
- ix. Wafungwa walikuwa na kazi na wajibu gani gerezani?
- x. Jee mfumo wa kazi za wafungwa ulijengwa kukidhi na kunufaisha maslahi ya wakoloni?
- xi. Wafungwa walishiriki Katika uchumi wa kikoloni? Kivipi?
- xii. Vipi gereza na wafungwa waliuchangia uchumi wa kikoloni?

3 Nafasi ya Magereza Katika siasa za Zanzibar (1890- 1963)

Kabla ya ukoloni gereza lilikua na nafasi gani kisiasa?

- i. Ni kwa malengo gani wakoloni walianzisha magereza Zanzibar?
- ii. Jee gereza la kikoloni lilikua na lengo la kuipa nguvu serekali Ya kikoloni ya Muengereza?
- iii. Jee gereza la kikoloni lilikua na lengo la kuamsha hisia wa kisiasa?
- iv. Jee wafungwa wa kisiasa Zanzibar walifungwa Katika gereza maalum?
- v. Jee kuna mfungwa yeyote wa kisiasa alieathirika na adhabu Katika gereza la kikoloni?
- vi. Ni wapi wafungwa mashuhuri / maarufu wa kisiasa waliofungwa Katika zama za siasa?

- vii. Ni chama kipi cha kisiasa kiliathirika Zaidi Katika kipindi cha zama za siasa?
- viii. Jee gereza la kikoloni lilikua na lengo la kudhibiti matabaka?
- ix. Gereza lilikusika vipi Katika kipindi cha 'Zama za Siasa'(1950s - 1963)?
- x. Gereza lina nafasi gani kisiasa tangu 1890-1963?
- xi. Wafungwa wa kisiasa walikua na nafasi gani Katika ukombozi wa Zanzibar?

Appendix 3: Field Observation Guide

Related questions concerning prison architectures:

1. Where did the researcher visit?
2. What does the physical space look like?
3. Is there any rehabilitation of architectures?
4. What are the length and width of cells?
5. Is ventilation in new prisons adequate?
6. What are the differences between new prisons and forts in Zanzibar?

Appendix 4: Common Complaints from Prisoners in Zanzibar Colonial Prison

1. To have more practical lesson on carpentry
2. Asked For a refund of contributions.
3. Food was not enough.
4. Wished to appeal.
5. Asked to be assisted after discharge
6. Requested about toilet soaps for all prisoners
7. Claimed that the articles were taken by police during the time of searching.
8. Claim of latrines were out of water-born and sited at a distance from dormitories with unhealthy smell.
9. Complain about bed-bug in the cells.
10. Prisoners of Asiatic origin complain of being not treated as Asiatic regarding to food scale.
11. Complain about the evening meal served for Muslim during the month of fasting (Ramadan) was not appropriate.

Source: ZNAGA7/3 Visiting Justice Report, 1958.

**Appendix 5: List of Commissioners of Prison Institution in Zanzibar from
1931-**

1. A.I SHERINGHAM
2. N.H INGRAM
3. E. GRANCE 1954- 1956
4. P.H HAMILTON 1956- 1959
5. B. M REMIDIOUS 1959- 1961
6. L. J BROWN 1961- 1964
7. J. K MZUBA 1964- 1967
8. ADAM TWAIB 1967- 1976
9. ABDALLA ISMAIL BALOZI 1976- 1986
10. RAMADHAN HATIB SHAABAN 1986- 2004
11. ABDILLAHI MUSTAFA IDDI 2004- 2011
12. HALIFA HASSAN CHUM 2011-2017
13. ALI ABDALLA ALI 2017-

Source: Copied by Researcher from Central Prison unpublished document.

Appendix 6: Photo of Mr. Dishoni Egal (Ex- Colonial Prison Officer)



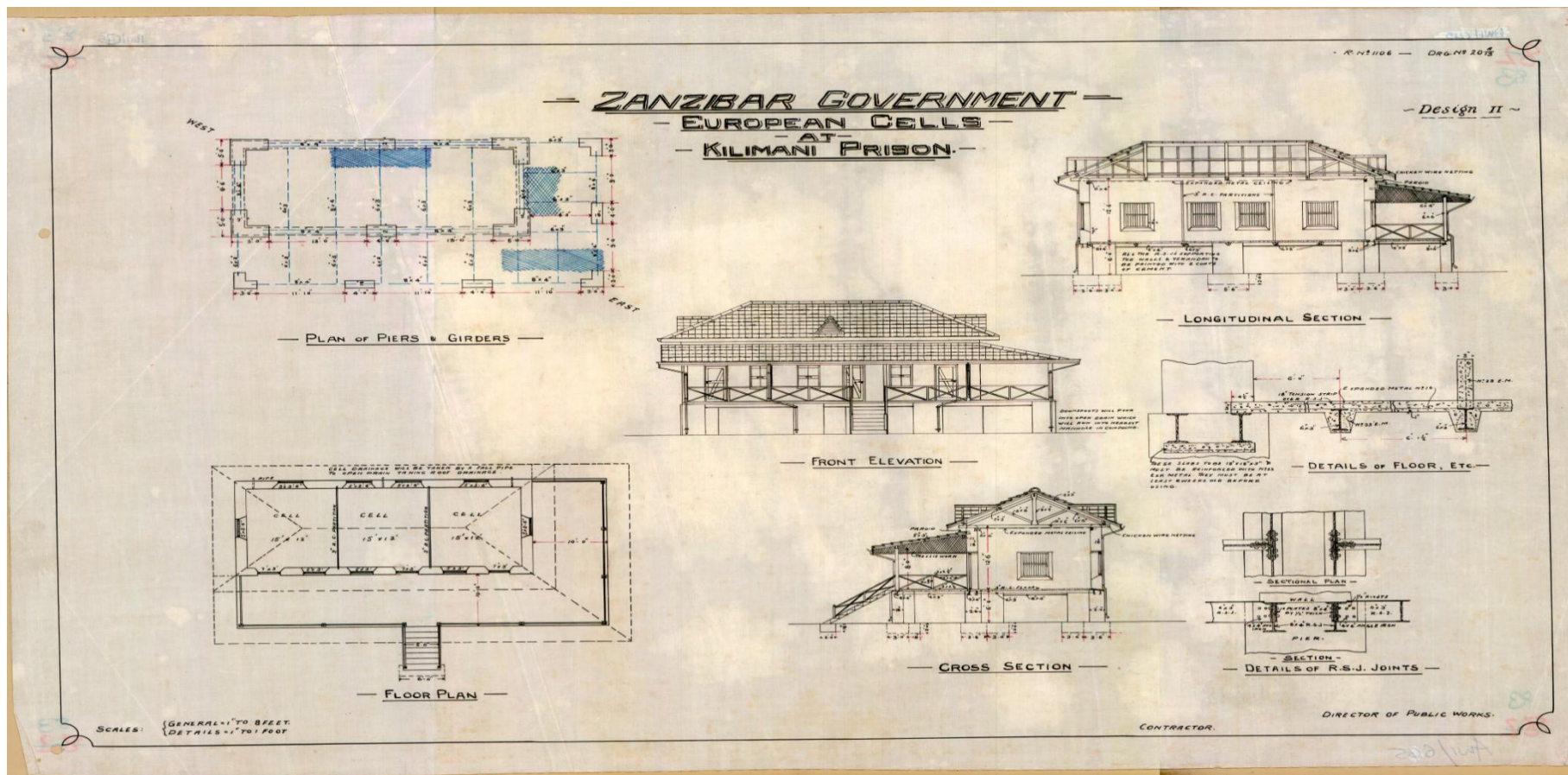
Source: Photo by Researcher

Appendix 7: Image of Old Fort in Zanzibar



Source:<https://www.google.com/search?q=image+of+old+fort+in+Zanzibar>

Appendix 8: Map of European Cells in Central Prison at Kilimani



Source: ZNA AW1/635 Zanzibar Government- European Cells at Kilimani Prison., 1939.