

RESEARCH ARTICLE

# Homeland Is Where the Soul Resides: Travel Prayer, Passports, and Nation in the Western Indian Ocean

Mandana Limbert 

Queens College and the Graduate Center and The City University of New York  
Email: [mlimbert@qc.cuny.edu](mailto:mlimbert@qc.cuny.edu)

## Abstract

This article examines conflicting notions of political home or homeland (*waṭan*) in the early twentieth-century Western Indian Ocean. In a period of colonial consolidation and shifts in trans-oceanic mobility, determining political belonging took on urgency for both British officials and Omani intellectuals and migrants. This article examines how, in contrast to both anti-colonial nationalists and British colonial officials, homeland in Omani religious scholarship was neither bounded territorially nor articulated through origins or subjecthood. Yet, it was spatial, affective, and hierarchically determined. And, it was manifest, embodied, and performed in the daily requirements of prayer. Spatial but not territorial, necessary but personally, hierarchically, and affectively decided, this pious notion of homeland has for the most part been replaced by the nation-state form. Yet, legacies of attachment to *waṭan* outside the bounded territorial model occasionally surface, operating as a simultaneous, but not synonymous, expression of political and personal belonging.

**Keywords:** mobility; nation; Islam; empire; prayer; passport; Indian Ocean; Oman; Zanzibar; Nur al-Din al-Salimi

The *waṭan* is where the soul (*naḥs*) resides and where the heart (*qalb*) lives. And, it is the opposite of travel (*safar*).

———Nur al-Din al-Salimi, *Jawābāt*

In 2003, on one of his first trips to Zanzibar since the 1964 revolution during which thousands of “Arabs” from Southern Arabia (now the Sultanate of Oman) were killed or fled, Sheikh Ahmad bin Hamad al-Khalili, Oman’s national mufti, was interviewed on Zanzibari television. In addition to inadvertently correcting the interpreter’s translation of his Arabic into Swahili on live television (touching off intense, vocal resentment about why he refused to speak Swahili despite his fluency), Sheikh al-Khalili informed those of Muscati and Omani descent that they should no longer perform the travel prayer (*ṣalat al-safar*). The travel prayer, a

truncated form of the daily ritual obligation aimed at easing the burdens of pious requirements during travel, has long been central to jurisprudential debates about proper worship.<sup>1</sup> Sheikh al-Khalili was insisting in 2003 that this particular population in Zanzibar—Omanis who had migrated and settled on the island in the first half of the twentieth century and remained after the 1964 revolution—should accept that Zanzibar was their homeland, not Oman.

For Omani Arabs living in Zanzibar and those looking on from Oman, Sheikh Ahmad al-Khalili's public statement raised thorny questions about appropriate piety and political belonging.<sup>2</sup> For some, al-Khalili's declaration in the early 2000s was embarrassing in that it drew attention to the possibility that there were those who had been circumventing pious obligations for decades. Indeed, most people I asked laughed derisively, saying that those who continued to perform the travel prayer for so long were simply being lazy. For other Omani Arabs in Zanzibar, al-Khalili's declaration was something of a betrayal since it seemed to close permanently the hope of "return," even though actual (re)patriation to Oman was highly unlikely because of restrictive immigration policies. His comments also exposed the fact that some Omanis had preferred to remain in Zanzibar after the revolution. Though most Omani families left Zanzibar after the violence of 1964, others either could not do so (some were unable to acquire travel documents and others were assigned by their families as representatives to keep an eye on property) or found the idea less appealing than remaining (because of weak familial ties or financial prospects). Some in Oman came to doubt the loyalty of those who had not returned. To others, it was a surprise that Omani Arabs living thousands of miles away from the Arabian Peninsula for decades, and who barely spoke Arabic, still considered themselves to be "traveling" at all.

In this moment, Sheikh al-Khalili's comments not only exposed personal tensions among people with ties across the Indian Ocean. It also highlighted fundamental questions about what constitutes a political home, not to mention travel, in the first place. By the end of the twentieth century, the term for homeland (*waṭan*) had come to denote territorial sovereignty, citizenship, and nation-state in Oman and throughout the Arab world, but this moment revealed that the legacy of another form of *waṭan* continues to resonate across the Indian Ocean.

By examining early twentieth-century Omani religious discourses about travel and prayer as well as an emerging British immigration policy, this article makes three related arguments. First, inspired by Achille Mbembe's call to grapple with the "imaginaries and autochthonous practices of space," especially in the context of assertions about sovereignty and boundaries, I explore contending notions of political space.<sup>3</sup> In particular, I demonstrate how anti-colonial notions of "homeland"—*waṭan*—were

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<sup>1</sup>Muslims adhering to the recommendations of travel prayer are instructed to group the five required daily prayers into three while traveling and shorten them after arrival at a destination. Discussion of these rules for prayer have circulated throughout the Muslim World for centuries, appearing, for example, in a chapter of Abu al-Walid Ibn Rushd's famous twelfth-century text *Bidayat al-Mujtahid wa Nihayat al-Muqtasid* (The distinguished jurist's primer). This text has served as a standard for legal debate and thought, even among scholars in the Indian Ocean and even if some of Ibn Rushd's theological and legal positions would have been at odds with Ibadism, the branch of Islam dominant in Oman. See note 9 for references to the sayings and actions (*hadith*) about Prophet Mohammad's migrations and declarations of homeland.

<sup>2</sup>For a study of continued Omani-Zanzibari elite diasporic attachment to East Africa after the 1964 revolution, see Nathaniel Mathews, *Zanzibar Was a Country: Exile and Citizenship between East Africa and the Gulf* (Berkeley: University of California Press, 2024).

<sup>3</sup>Achille Mbembe, "At the Edge of the World," *Public Culture* 12, 1 (2000): 259–84.

not restricted to a nationalistic or nation-state model of a bordered territory or of patriotic sentiment based on a shared ethnic, religious, or linguistic identity, as is often argued of Middle Eastern anti-colonial movements. In writing about anti-colonial uprisings in Ottoman provinces in the interwar period, for example, Michael Provenance sees nationalism as a source of anti-colonial insurgency, while John Willis illustrates how disagreements over the maintenance of a Caliphate revolved around either pan-Arabism (as Muhammad Rashid Rida (1865–1935) was increasingly arguing) or universalism (through a Hindu-Muslim alliance).<sup>4</sup> For Zanzibar in particular, Amal Ghazal and Anne Bang have shown how Arab and Muslim intellectuals living in East Africa in the 1930s were conversant in anti-colonial discourses and turned to pan-Arab and pan-Islamic nationalism to support their particular Zanzibari patriotism and expressions of cultural pride.<sup>5</sup>

At the turn of the twentieth century, however, some anti-colonial and anti-imperialist scholars were hardly working with presumptions about bounded territorial sovereignty, patriotism, or even shared linguistic, religious, and ethnic identity bonds that became central to these ideologies, whether pan-Arab, pan-Islamic, or territory specific. Nor, however, were these early twentieth-century religious scholars proponents of the kinds of political forms based on “legal pluralism, disaggregated sovereignty, and territorial disjuncture [that] would be constitutionally grounded” that Gary Wilder has described as critical to the thought and writings of Aimé Césaire and Léopold Senghor as they grappled with a post-colonial future in Martinique and Senegal.<sup>6</sup>

Instead, some Omani scholars of the Indian Ocean World understood and deployed the language of *waṭan* in the service of a personally spatialized Islamic polity, structured around pious obligations and responsibilities. It was neither bounded by territorial borders nor controlled by administrative powers. Such an Islamic polity did not need to be centralized. A *waṭan* or “homeland” described the spaces and places to which people directed their religious obligations and, in particular, prayers. It was understood to have a spatial quality through questions of distance and the built environment,<sup>7</sup> but was hardly conceived along a territorial

<sup>4</sup>The literature on pan-Arabism, pan-Islamism, and territorial nationalism in the Middle East is vast. For an earlier summary of approaches to all three, see Rashid Khalidi, “Arab Nationalism: Historical Problems in the Literature,” *American Historical Review* 96, 5 (1991): 1363–73. Here, Khalidi points out that pan-Arabism was rarely an actual contender to local nationalisms and hardly the only form of Arab nationalism. See also the special issue edited by Peter Wien, “Relocating Arab Nationalism,” *International Journal of Middle East Studies* 43, 2 (2011), including the paper by Michael Provenance, “Ottoman Modernity, Colonialism, and Insurgency in the Interwar Arab East (205–55). See, too, John Willis, “Debating the Caliphate: Islam and Nation in the Work of Rashid Rida and Abul Kalam Azad,” *International History Review* 32, 4 (2010): 711–32.

<sup>5</sup>Amal Ghazal, *Islamic Reform and Arab Nationalism: Expanding the Crescent from the Mediterranean to the Indian Ocean (1880s–1930s)* (London: Routledge, 2010); Amal Ghazal, “An Ottoman Pasha and the End of Empire: Sulayman al-Baruni and the Networks of Islamic Reform,” in James Gelvin and Nile Green, eds., *Global Muslims in the Age of Steam and Print* (Berkeley: University of California Press, 2014), 40–58; and Anne K. Bang, *Zanzibari Muslim Moderns: Islamic Paths to Progress in the Interwar Years* (Oxford: Oxford University Press, 2024).

<sup>6</sup>Gary Wilder, *Freedom Time: Negritude, Decolonization, and the Future of the World* (Durham: Duke University Press, 2015), 2.

<sup>7</sup>For an excellent discussion of spatial, but not territorial, conceptions of sovereignty, see Mark Drury, *Disorderly Histories: An Anthropology of Decolonization in Western Sahara*, PhD diss., City University of New York, 2018.

and bordered model with a codified system of identification determined by birth.<sup>8</sup> In addition, the heart and soul, intention, and differing determinants for men and women, husbands and wives, slaves, herders, seafarers, martyrs, and nomads mattered. There was, nevertheless, a formality to the homeland since it was incumbent on individuals to “take” (*akhadh*) one and to perform religious obligations in accordance with their selection.<sup>9</sup> At stake in identifying a homeland, in other words, was the expectation for the personal enactment of pious behavior, (ideally) supported and performed within the context of a righteous community and laws.<sup>10</sup>

At the same time, British officials were working with what became a more familiar model of political homeland in which individuals were subjects of a ruler of a defined territory, determined through birth and made manifest through documentation.<sup>11</sup> And, it was a territory whose borders became increasingly regulated, especially after World War I. In the second half of this article, I describe how, despite this familiar model, British officials struggled with its implementation through the 1940s. Aiming to standardize political rule, they grappled with how to systematize it across a region comprised of diverse polities and modes of membership. The messiness of the alignment of bordered territory and identity is more than evident.

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<sup>8</sup>Zayde Antrim has illustrated how, contrary to claims by Bernard Lewis, who argued that the idea of *waṭan* emerged only in the eighteenth century in response to European expansion, *waṭan* actually appears in foundational Islamic literature, primarily in *belles-lettres*, or “*adab*,” and then in the growing geographical canon. Whereas the earlier *adab* literature, which served as guides for proper behavior, emphasized the experiences of homesickness (*al-ḥanīn ilā l-awṭān*), longing, and affective attachment to land, the geographical literature focused primarily on political rule and loyalty as well as borders. Here, Antrim notes, too, that “mobility or anticipated mobility was involved in locating home”; *Routes and Realms: The Power of Place in the Early Islamic World* (Oxford: Oxford University Press, 2012), 14. Ulrich Haarmann also notes the use of the notion of *waṭan* among Sufi mystics of the same period to refer to a place, both real and metaphorical, serving as a man’s extraterritorial destination rather than his point of departure. U. Haarmann, s.v. “*Waṭan*,” in P. J. Bearman et al., eds., *Encyclopedia of Islam, Second Edition* (Leiden: Brill, 2002).

<sup>9</sup>According to Islamic tradition, Prophet Mohammad declared the town of Medina as his homeland after his migration (*hijra*) there from his hometown of Mecca. Then, in the eighth and tenth years after the initial *hijra*, when the Prophet returned to Mecca, he prayed the travel prayer. See Rabi b. Habib, *Jami al-Sahih*, no. 190; Muhammad al-Bukhari, *Sahih al-Bukhari*, no. 1102; Muslim b. al-Hajjaj, *Sahih*, nos. 685–86. (These *hadith* collections are available in many editions and are usually numbered for reference.)

<sup>10</sup>This view of a pious polity is also different from the forms of “religious sovereignty” that scholars from Carl Schmitt to Giorgio Agamben and Jacob Taubes argued are the roots of modern states: divine rule and absolute power. It is, instead, closer to what Michel Foucault called “pastoral power,” or what Wilson Jacob has recently termed “sayyid sovereignty,” though for Omani scholars the emphasis is on the responsibility of self-disciplining individuals rather than on the role of a guide. See Robert Yelle, *Sovereignty and the Sacred: Secularism and the Political Economy of Religion* (Chicago: University of Chicago Press, 2018); and Wilson Jacob, *For God or Empire: Sayyid Fadl and the Indian Ocean World* (Stanford: Stanford University Press, 2019).

<sup>11</sup>For European notions and practices of jurisdiction, territoriality, geography, and sovereignty through the end of the nineteenth century, see Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (Cambridge: Cambridge University Press, 2009). For the early twentieth century, see also Renisa Mawani, *Across Oceans of Law: The Komagata Maru and Jurisdiction in the Time of Empire* (Durham: Duke University Press, 2018). For an excellent review of European philosophies and notions of liberalism, freedom, and movement, see Hagar Kotef, *Movement and the Ordering of Freedom: On Liberal Governances of Mobility* (Durham: Duke University Press, 2015).

In examining these notions of homeland, I also challenge the assumption that British imperial rule imposed territorial order on a realm of unfettered mobility.<sup>12</sup> Concern about movement and belonging was not confined to European officials, nor were European laws the only legal discourses affecting mobility. The “sedentarist bias” is not isolated, in other words, to European empires and the nation-state.<sup>13</sup> Similarly, the romanticizing of a “nomad metaphysics” that celebrates an unbounded mobility (presumably among non-Europeans) elides notions of political home as well as discourses and practices that express obligations of spatial belonging beyond those associated with European empires.<sup>14</sup> Scholarship on the Indian Ocean that has emphasized European jurisdictional rivalries and trade has in part appropriated the presumptions of colonial rule regarding the unfettered mobility of the region’s “natives.”

Therefore, rather than seeing Omani movement across the ocean as having been managed only once European colonial administrators began to exert control over the seas, I demonstrate how discourses and practices of prayer mark a form of spatial and social demarcation articulated through Islamic obligations. Discussions about movement and belonging were already taking place when colonial administrators began regulating the seas more forcefully. Prayer and papers might, therefore, be understood as two techniques in the regulation or disciplining of place and movement. Both are embedded in legal discourse and both relate to the idea of a political home. And yet, both structured belonging and homeland differently and managed them through distinct and highly uneven means: the authority of religious pronouncements and the power of the (colonial) state. In both cases, mobility and homeland are inseparable. My goal in presenting these divergent discourses of mobility and homeland is to highlight how these forms of management, as uneven as they are, emerge in relation to each other, sometimes as oppositional and sometimes encompassing, and they are never static or isolated.

Third, this article emphasizes that movement and settlement across the Indian Ocean was not only an economic decision, but also an ethical and political one, linked in part to the tensions of British rule and the potential establishment of a theocratic Imamate. Many fine studies have examined the history of trade and economic relations across the Indian Ocean as well as that of the scholarly networks linking intellectuals in the Arabian Peninsula to East Africa and North Africa.<sup>15</sup> This article

<sup>12</sup>The extensive literature on trade networks of the Indian Ocean focuses on the monsoon winds as the only factor limiting travel until the imposition of European jurisdiction over the “free sea.” See, for example, Abdul Sheriff and Engseng Ho, eds., *The Indian Ocean: Oceanic Connections and the Creation of New Societies* (London: Hurst Publishers, 2014).

<sup>13</sup>For a critique of the sedentarist bias, especially in refugee studies, that has equated “home” with “rootedness,” see Liisa Malkki, “National Geographic: The Rooting of Peoples and the Territorialization of National Identity,” *Cultural Anthropology* 7, 1 (1992): 24–44; and “Refugees and Exile: From ‘Refugee Studies’ to the National Order of Things,” *Annual Review of Anthropology* 24 (1995): 495–523.

<sup>14</sup>For an argument that outlines these two options in mobility studies, see Tim Cresswell, *On the Move: Mobility in the Modern Western World* (New York: Routledge, 2006).

<sup>15</sup>See, for example, the excellent work of Reda Bhacker, *Trade and Empire in Muscat and Zanzibar: The Roots of British Domination* (London: Routledge, 1994); Fahad Bishara, *A Sea of Debt: Law and Economic Life in the Western Indian Ocean, 1780–1950* (Cambridge: Cambridge University Press, 2017); Matthew Hopper, *Slaves of One Master: Globalization and Slavery in Arabia in the Age of Empire* (New Haven: Yale University Press, 2015); Johan Mathew, *Margins of the Market: Trafficking and Capitalism across the Arabian Sea* (Berkeley: University of California Press, 2016); Thomas McDow, *Buying Time: Debt and Mobility in the*

focuses on ethical and religious discourses of movement and obligation, of belonging and space, in order to consider how peoples' pious links to such spaces were understood and practiced.<sup>16</sup> Rather than presuming that all those who did not have physical or material constraints on travel would travel, I examine concerns about the ethics and political implications of travel. Indeed, what even constituted "travel" and "home?" Migration from Oman to Zanzibar raised questions well beyond that of duration and risk. For some Omanis, moving was itself an existential, ethical, and jurisprudential question that entailed consideration of intention, of the heart and soul, and of secure piety in the context of non-Muslim rule. Migration and settlement elsewhere would also shape and be enacted in the bodily requirements of prayer. Articulating political home through the daily act of prayer is precisely what Sheikh al-Khalili recognized.

The article is divided into two parts. After a brief background section, the first part examines everyday concerns about appropriate pious travel, and thus homeland, in the questions to and answers from the most important Omani theologian of the twentieth century, Nur al-Din al-Salimi. In the second part, I explore shifting British attempts at controlling the same circuits of travel by means of documents and permissions along with divergent notions of political home. The documentation of identity and its link to national territory, as Radhika Mongia has shown, marked a turning point in the international management of movement after the standardization of the passport system (with the 1920 League of Nations Paris passport conference). This article explores both Omani religious discourses about travel and British immigration policies in the making of political home as a way of highlighting the tensions, divergent possibilities, and uncertainties about it in this moment of flux, when the collapsing of geography with identity and belonging was being worked out.<sup>17</sup> While notions of the nation-state came to be naturalized later in the twentieth century, the first decades of the twentieth century were a period when the as-yet world of post-colonial nation-states was in the process of formation and when a non-nationalist, but anti-colonial, polity also remained salient. Apparently foreclosed, its legacy continues to resonate.

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*Western Indian Ocean* (Athens: Ohio University Press, 2018); Abdul Sheriff, *Slaves, Spices, and Ivory in Zanzibar* (London: James Currey, 1987); and John Wilkinson, *The Arabs and the Scramble for Africa* (Sheffield: Equinox Publishing, 2015). For scholarly networks, see also Anne Bang, *Sufis and Scholars of the Sea: Family Networks in East Africa, 1860–1925* (New York: Routledge, 2003); Anne Bang, *Islamic Sufi Networks in the Western Indian Ocean* (Leiden: Brill Academic Publishing, 2014); Amal Ghazal, *Islamic Reform; "An Ottoman Pasha"; and "Omani Fatwas and Zanzibari Cosmopolitanism," Muslim World* 105 (2015): 236–50; and Valerie J. Hoffman, *The Essentials of Ibāḍī Islam* (Syracuse: Syracuse University Press, 2012).

<sup>16</sup>Omani-Arabs were, of course, not the only ones facing the newly emerging political systems and navigating their diasporic places within them. As Sana Aiyar and Scott Reese have explored, Indian merchants and anti-colonial intellectuals in Kenya and Yemen in the first half of the twentieth century also struggled with ethno-national demarcations, sometimes opposing and sometimes supporting them. See Sana Aiyar, "Anticolonial Homelands across the Indian Ocean: The Politics of the Indian Diaspora in Kenya, ca. 1930–1950," *American Historical Review* 116, 4 (2011): 987–1013; and Scott Reese, *Imperial Muslims: Islam, Community, and Authority in the Indian Ocean, 1839–1937* (Edinburgh: Edinburgh University Press, 2018).

<sup>17</sup>Radhika Mongia, *Indian Migration and Empire: A Colonial Genealogy of the Modern State* (Durham: Duke University Press, 2018).



## The Three Faces of Oman

Questions among pious Omanis about homeland and prayer in the early twentieth century were being posed at a moment of heightened political tension. It was a time when Omani Sultans nominally ruled in Zanzibar and Muscat, and when a theocracy—the Ibadī Imamate—in the interior of Oman was about to be reconstituted. It is critical to note that after 1890, when Zanzibar became a British protectorate (of an Arab Sultanate), there became, in effect, three major “Omani” polities—Zanzibar, Muscat, and an Omani Imamate—each with a different relationship to the other and each with shifting entanglements and tensions with British rule and power.

The Omani polities of Zanzibar and Muscat had themselves split in the middle of the nineteenth century. After Sultan Saīd bin Sultan al-Bu Saīdī’s rule over both Muscat and Zanzibar (1806–1856), a succession dispute between two of his sons led to the division in 1861 of the al-Bu Saīdī domain (through an agreement organized by British officials, known as the “Canning Award”) into two separate polities: Muscat, ruled by Thuwaynī bin Saīd al-Bu Saīdī, and Zanzibar, by Majīd bin Saīd al-Bu Saīdī. In 1890, however, Zanzibar was also declared a British protectorate, while Muscat remained nominally independent. At the same time, “Oman,” the inland towns and villages, remained mostly beyond the control of al-Bu Saīdī sultans in Muscat. The populations of these towns and villages were also predominantly Ibadī, a third branch of Islam after Shī‘ism and Sunnism, which meant that an Imamate could be established. By the early twentieth century, scholarly and political discussions about the formation of another Imamate were ongoing and in fact an Imamate was established in 1913.<sup>18</sup>

The *ethical* debates among Omanis about movement were thus a result of specific political and economic conditions. They took place at a moment when the British Empire was at its height, but also only decades away from formally ending. It was, in addition, a period when Omani rule in East Africa took the form of a protectorate, both supported by and dependent on British power. An impending Imamate in Oman and an Omani colony in Zanzibar under British rule are the contexts critical to understanding the tensions surrounding ideas of homeland and travel. As much of the discussion about the Ibadī “revival” (*nahḍa*) of the nineteenth century has noted, questions about proper piety at this time were posed with the aim of describing the religious perspectives of Ibadism to non-Ibadis and in the hopes of engaging a pan-Islamic movement. But they also came in the context of political tensions about the social and individual obligations of Ibadī piety and how that pious life could endure under British rule.

## Part I

### *Those Who Mimic Them*

It is impossible to know how many Omani-Zanzibaris whose families migrated to East Africa in the nineteenth century or earlier performed the travel prayer or for how long. We also cannot know whether Omani-Zanzibaris who moved to Zanzibar in another wave in the twentieth century performed it, and even the number of Omanis in Zanzibar is not entirely certain. Frederick Cooper has argued that census data from

<sup>18</sup>A short-lived Imamate was formed between 1868 and 1871, with a cousin of Thuwaynī bin Saīdī’s, Azzan bin Qais, selected as Imam.

the early part of the twentieth century showing a dramatic increase of “Arabs” by 77 percent in Zanzibar and Pemba, from 18,884 in 1924 to 33,401 in 1931, indicates more about the ways people self-identified than an actual increase in the “Arabs” population.<sup>19</sup> A more accurate measure of demographic changes might be the number of ships arriving in and departing from Zanzibar. Yet these numbers are hardly accurate either since, as Johan Mathew has shown in his work on trafficking, sailing dhows regularly came and went without the knowledge of British officials, bringing both contraband goods and people across the ocean.<sup>20</sup> Nevertheless, British archival sources provide some data about how many people officials believed were entering from Arabia, and there was a steady increase through the 1930s, peaking at about 3,500 in 1939, on the eve of World War II. While this number may seem small, it so alarmed British officials that they worked relentlessly to stop the migration. They discussed ways to intimidate passengers, to disseminate pamphlets warning off potential travelers, and to garner the support of leading Arabs to mitigate the flow. One official wrote, for example, “I think that it will be sufficient if they are harried a little both before and after the arrival of their dhows.”<sup>21</sup>

What is clear is that at the beginning of the twentieth century, for some Omanis, migration and settlement were accompanied by doubts that were as ethical and jurisprudential as they were economic and physical. These uncertainties are revealed in a series of texts, including question-and-answer *fatawa* (in Oman, *fatawa* are sometimes simply called *jawābāt* or “answers”). Below, I examine a variety of texts written by Nur al-Din al-Salimi (1869–1914), the most important Omani theologian of the twentieth century, the intellectual force behind the revival of the Imamate in Oman in 1913, and the primary religious scholar for Omanis in Zanzibar. Nur al-Din’s significance in Omani and Ibadi political philosophy and theology cannot be overstated. Even today, his writings continue to serve as the foundational reference for correct Ibadi behavior.

Below, I analyze a ninety-page letter directed at Omanis in Zanzibar, a book of rhymed prose about religious practice (an extremely popular reference in contemporary Oman), and questions and answers (*fatawa*) in two different compilations.<sup>22</sup> The first, *Hall al-Mushkilāt* (Solving the Problems) records questions raised from 1899 to 1903 by a governor of the town of Bahla (1914–1944). The second text is a five-volume set of questions to and responses from Nur al-Din al-Salimi. Of this set, one chapter contains forty-eight *fatawa* that concern travel prayer specifically. While only three directly reference Zanzibar, twenty-seven refer to *waṭan*, and are relevant for those migrating or considering migrating. The recurring themes in these texts include the opposition between travel and homeland, the significance of intention as well as that of the “heart” (*qalb*) and the “soul” (*nafs*) in declaring a homeland, the relative importance of political rule, and finally,

<sup>19</sup>Frederick Cooper, *From Slaves to Squatters: Plantation Labor and Agriculture in Zanzibar and Coastal Kenya, 1890–1925* (Portsmouth: Heinemann Press, 1997), 163–64.

<sup>20</sup>Johan Mathew, *Margins of the Market*.

<sup>21</sup>“Control of Manga Arabs, 1939 Feb. to 1943 May, Vol. 1,” Zanzibar National Archive DO 40/52, 38.

<sup>22</sup>See Nur al-Din al-Salimi, *Badhl al-Majhūd fi Mukhālafat al-Nasara wa al-Yahud* (Bidiya: Imam al-Salimi Library, 1995[1910]); *Jawhar al-Nizām* (Muscat: Ministry of National Heritage, 1989[n.d.]); *Hall al-Mushkilāt* (Muscat: Ministry of National Heritage, n.d.); and *Jawābāt al-Imam Nur al-Din al-Salimi* (Bidiya: Imam al-Salimi Library, 2010[n.d.]), vol. 2. See also his *Ma’ārij al-āmāl ala Ma’ārij al-Kamāl*, Sulayman Babziz, ed. (Muscat: Ministry of National Heritage, 1983[n.d.]), vol. 5, 190–95.



concerns about the relationship between men's and women's prayer obligations as well as those of slaves, Bedouin, and sailors.

Nur al-Din al-Salimi never traveled to East Africa himself. As I was told by a direct descendant, both Nur al-Din and his son, Mohammad bin Humayd al-Salimi, thought it preferable not to travel there or anywhere not under Muslim rule, even though they also did not deem it forbidden (*haram*). Still, as the most important Ibadī theologian of the early twentieth century, Nur al-Din's pronouncements about religious, political, and economic life did travel across the ocean.

Nur al-Din's opposition to colonial rule in the Indian Ocean extended beyond his criticisms of the British in Muscat or Zanzibar. He was highly critical as well of the Omani elite in Zanzibar. Disdain for some of those who had moved to East Africa is palpable in his text *Badhl al-Majhūd fi Mukhālafat* (Striving in defiance) written in 1910. In this extended response to an interlocutor from East Africa he refers to as "the objector" (*al-mu'tarid*), Nur al-Din speaks directly to Omanis (primarily Ibadis) living in Zanzibar, condemning them for behaving like Christians and blaming them for the British occupation of Zanzibar (because their leaders abandoned the religion). He writes: "They began dressing like them, they bent their tongues to speak in their languages, they mixed in their schools, and they helped them in their courts of injustice and where the land is fallow (*bawār*)."<sup>23</sup>

As Amal Ghazal points out, Nur al-Din was engaging other anti-colonial work, responding directly, for example, to the chief judge of Beirut, Yusuf al-Nabhani, who had recently condemned missionary schools in the Levant.<sup>24</sup> Though agreeing with al-Nabhani in regard to the dangers of these schools, al-Salimi diverged from him on the question of migration, or *hijra*, a practice of emigration that had been a tenet of classical Islam and was being discussed among newly colonized people.<sup>25</sup> While al-Nabhani encouraged Muslims who were living under non-Muslim rule to migrate elsewhere, Nur al-Din argued that this practice of emigration had been a requirement prior to the conquest of Mecca in 630 CE, but no longer was necessary. After that time, and as long as a person felt "safe" (*āmanan*) in his religion, he could stay. Nur al-Din added, however, that such a person must be careful to only pray the travel prayer, demonstrating the ways that prayer could serve as an explicit and public marker of the declaration of a homeland elsewhere.<sup>26</sup> Indeed, for Nur al-Din, the travel prayer could signal the refusal to acquiesce fully to non-Muslim rule. For those who felt uneasy with post-revolution Zanzibari politics and those committed to Nur al-Din's position (if not his texts explicitly), Sheikh al-Khalili's position in 2003 was a departure.

Disdain for those who traveled to Zanzibar and who appropriated the customs of the British is evident too in the *fatawa*. In a two-page response to one questioner's letter, Nur al-Din emphasizes the absurdity and hypocrisy (though he does not use the highly charged word "*naḥāq*") of those who claimed to maintain Oman as their homeland, but who clearly much preferred to live in Zanzibar. Here, the tension

<sup>23</sup>al-Salimi, *Badhl al-Majhūd*, 6.

<sup>24</sup>Amal Ghazal, "Omani Fatwas."

<sup>25</sup>See Muhammad Khalid Masud, "The Obligation to Migrate: The Doctrine of *Hijra* in Islamic Law," in Dale F. Eickelman and James Piscatori, eds., *Muslim Travellers: Pilgrimage, Migration and the Religious Imagination* (Berkeley: University of California Press, 1990), 29–49. See also Alan Verskin, *Oppressed in the Land? Fatwas on Muslims Living under Non-Muslim Rule* (Princeton: Markus Wiener Publishers, 2013).

<sup>26</sup>al-Salimi, *Badhl al-Majhūd*, 25.

between living under British rule and feeling at home becomes evident since he notes that some of those who perform the travel prayer in Zanzibar actually prefer it there and therefore—despite political conditions—should pray the full prayer:

A: And look at the condition of our friends from the people of Zanzibar, may God give them qualities of an adult to see clearly (*rushd*). For example, one of them builds homes (*dūr*) and he collects farms (*shawanib*) and he takes wives (*zawajāt*) and concubines (*sarārī*) and servants (*khudum*). And, despite that, he shortens the prayer. In fact, he groups the two prayers, using the excuse that his *waṭan* is Oman. And, even if he returns to his *waṭan* [i.e., Oman], in some years, he would not reside there, except a short period of time, and his heart is attached to Zanzibar; that is, his supposed travel destination. And, if the Sultan forbade him from entering Zanzibar, he would consider that one of the greatest punishments.<sup>27</sup>

While in both *Defiance* and in his *fatawa* Nur al-Din is clearly unhappy with those who he says mimic the polytheists (*mushrikīn*), the Christians, and who pretend to call Oman their home, there are also differences in these texts. While in *Defiance* he declares that those who live under the rule of the British should pray the travel prayer, in the *fatawa* he reprimands those who do so while clearly making Zanzibar their homes and distinguishes between those who had been living there prior to British rule and those who moved there after it had been seized (*istīlla*):

Q: He whose homeland (*waṭan*) is in Oman (*bi Oman*), is it permissible for him to move it to Zanzibar? Or, [is it permissible] to take it as a second homeland, knowing that the polytheists (*ahl al-shirk*) have seized it (*istīlla*)?

A: Abu Ishaq, may God have mercy on his soul, mentioned that it is not permissible to take a homeland in a land that has been occupied by the *mushrikīn*, unless it was considered a *waṭan* to him in the past, before the seizure (*al-istīlla*).<sup>28</sup>

Evading in this exchange the question about whether it was possible to take two homelands, Nur al-Din focuses instead on the question of living under foreign rule, drawing a distinction between those who had settled prior to “seizure” and those who contemplate moving after the fact, revealing his negative view of occupied lands for the pious. We will see that he does address the possibility of multiple homelands in *Jawhar al-Niẓām*, especially for free men, drawing a sharp distinction between them and slaves and wives.

### Of Hearts, Souls, and Intentions

In his extended *fatwa* about whether it is permissible to live under Christian rule, Nur al-Din not only suggests that it was permissible (even though not ideal), but he also emphasizes the importance of the heart and soul in determining a *waṭan*, noting that it meant where someone felt secure in his religion.

<sup>27</sup>al-Salimi, *Jawābāt*, vol. 2, 89–91.

<sup>28</sup>Ibid., 89. It is likely that Nur al-Din is referring to Abu Ishaq Ibrahim b. Qay al-Hamadani al-Hadrami from the eleventh century CE, an Ibadi commander who conquered the Hadramawt.

Q: And, is it permissible to take it [*waṭan*] in a land owned/ruled (*yamlikhā*) by *mushrikīn*? And, is it similar if it is a land of Islam (*Ardh al-Islam*) where a *mushrik* ruler entered? Or, is it *Ardh al-Shirk*? And, is there a difference if the *mushrik* rulers interfere with the Muslims in their prayers, or do not interfere? And, is there a difference between whether those who are ruled are Muslims or *mushrik*? Or, one group exceeds the other or they were equal?

A: In fact, his *waṭan* is where he hits the ground with the fullness of his slippers (*kalākilihi*) and where his soul resides (*sakanat nafsihi*) and his chest opens with his happiness (*inshara al-sadrahu*). [...] That is his *waṭan*, whether it is the *dār al-Islam* or unbelief (*kufr*), as long as he is safe (*āmanan*) in his religion, there is no problem for him to reside where he is residing.<sup>29</sup>

This emphasis on the heart and soul pervades the *fatawa*. In fact, for a free man the *waṭan* can only be determined by the feelings of the person himself, and not by some external authority or power.

In *Hall al-Mushkilāt*, Nur al-Din writes explicitly in response to the governor from Bahla: “People who have decision-making power do not have the authority to take away the *waṭan* from someone.”<sup>30</sup> That is, state powers, colonial administrations, Sultans, and Imams have no authority to determine someone’s *waṭan*. This is a far cry from the system of passports and immigration controls later used to define belonging. In response to a question about a soldier who receives a ruling from another scholar who declares the soldier’s prayer incorrect (*bāṭil*), Nur al-Din writes in frustration:

A: As for the soldier who prays *waṭan*, he knows best his [own] situation and no one should pass a religious ruling that his prayer is incorrect and does not count because the condition of a *waṭan* is specific to its owner (*ṣāhib*)—“*amr al-waṭan makhṣūs bi-ṣāhibihi*.”<sup>31</sup>

Both questioners and Nur al-Din use the term *waṭan* to refer to a place that serves as a person’s primary home. It is a place where one belongs, one’s responsibilities are centered, and one’s heart *feels* most at rest. A *waṭan* may be manifest in the length of residency, but not necessarily. Instead, for a man, the attributes of property ownership and family (wives and children, concubines and servants) may draw him close and prove the *waṭan*. Nur al-Din responds to another question as follows: “...the *waṭan* is agreed upon in jurisprudence (*fiqh*) for he who takes family and children and abode (*dār*) and money. If this is not the act of taking a *waṭan*, then we do not know what a *waṭan* is?”<sup>32</sup>

Despite this, Nur al-Din insists on an intentional (*niya*) declaration of homeland, though not necessarily in writing or even verbally.<sup>33</sup> If a man’s *intention* was to return to his “homeland” or to the place where he was living before, then he should perform the travel prayer. If, on the other hand, he *intended* to make a new home elsewhere, then he should begin praying the full prayer at his new homeland.

<sup>29</sup> al-Salimi, *Jawābāt*, vol. 2, 92–93.

<sup>30</sup> al-Salimi, *Hall al-Mushkilāt*, 70.

<sup>31</sup> al-Salimi, *Jawābāt*, vol. 2, 96.

<sup>32</sup> *Ibid.*, 89–91.

<sup>33</sup> *Ibid.*, 89.

Underlying all of these formulations is a repeated emphasis on the opposition between homeland and travel. Throughout the twenty-two pages devoted to the travel prayer in the *Jawābāt*, both questioners and Nur al-Din contrast travel, *safar*, with *waṭan*. Throughout the *fatwa* collection, the state of traveling is opposed to the state of *waṭan*, or home/homeland. Nur al-Din is clear about this opposition: “The *waṭan* is where the soul (*nafs*) resides and the heart lives. And, it is the opposite of travel.”<sup>34</sup>

### Distance and Time

In addition to exploring a person’s ties to a homeland, questioners were also keen to understand when “travel” in fact could be understood to begin and whether there was a limit to the duration of travel. Nur al-Din responded in numerous ways, but as a general rule, he explained that traveling began when a man journeyed two “*farsakhs*” (women were, we will see, mostly instructed to follow the practice of their husbands). Each *farsakh* is usually a half-day’s travel, or about three miles from the end of the built environment (*umrān*) of his *waṭan*, though Nur al-Din also sometimes insisted that if someone intended to travel, then he should begin shortening his prayers after one *farsakh*.<sup>35</sup> It should be noted that in Sunni law travel has generally been determined to begin at four *barīds* (or sixteen *farsakh*), which may take one, two, or three days walking.

Interestingly, in *Jawhar al-Nizām*, Nur al-Din also writes that as soon as someone steps on a boat, he is traveling:

And, he who rides the sea, intending to travel  
must shorten the prayer from the moment he is on the sea.  
And, even if the boat (*markab*) anchors,  
it is due to the different nature of the sea.  
It is different from the land because  
there is no indication of building/settlement.  
The settlement is the palm trees and the walls, and the farming.<sup>36</sup>

This description of the sea as *necessarily* a space of travel, rather than a “homeland,” suggests, too, that claims about “belonging” to the ocean or sea may have been different for passengers who followed Nur al-Din than for itinerant merchants and sailors from the coastal town of Sur. Fahad Bishara argues that they saw themselves as “belonging” to both land and sea, and this resembles how French officials viewed them.<sup>37</sup> In *Jawhar al-Nizām*, Nur al-Din argues that even for sailors, the ship as the built environment becomes the home, not the sea itself.

Questions and answers in *Jawhar al-Nizām* and the *Jawābāt* about movement highlight the significance of built environments, even in determining whether different villages and towns that had contiguous built environments should be

<sup>34</sup>Ibid., 95.

<sup>35</sup>See also, Nur al-Din al-Salimi, *Maʿārij al-āmāl*, vol. 5, 180.

<sup>36</sup>al-Salimi, *Jawhar al-Nizām*, 1989[n.d.], vol. 1, 120.

<sup>37</sup>Bishara, *Sea of Debt*. It should be noted that the seventeenth-century jurist Hugo Grotius also distinguishes between land and sea in property law, in *The Free Sea*, David Armitage, ed. (Indianapolis: Liberty Fund, 2004[1583–1645]).

considered one homeland. For example, in response to a questioner who asked whether travel within a “*dār*” that is larger than two *farsakhs* constituted travel, Nur al-Din writes: “If the buildings (*umrān*) are connected, then everything is one *waṭan*.”<sup>38</sup> Such emphasis on the built environment raises questions not only for mariners and seafarers but also for nomads. But Nur al-Din is clear that the *waṭan* of the nomads is where the stakes of the tents of the Bedouin are set, serving as a (movable) building.

Finally, numerous questioners also asked about time and whether there is a limit to how many years someone could be considered to be traveling. Though none of the *fatawa* in the compilation offers a direct answer, Nur al-Din responds to such questions by describing the acceptable experiences of others. Nur al-Din often refers to Abdallah bin ‘Umar, who stayed in Azerbaijan for seventeen months and, again, Abu Ishaq, who traveled for nine years.

Perhaps most significantly for migrants to Zanzibar, Nur al-Din seems to suggest in his *fatawa* that it is feasible to take more than one *waṭan*. In response to a question about whether people who live in Surur, a town (*balad*), as well as on a farm in the countryside can take both as their *waṭan*, he writes:

A: They have Surur as a *waṭan* and their farms as another *waṭan*. The *waṭan* is the place where their souls reside and take as a *waṭan*. And, they do not leave it unless necessary. This is the meaning of *waṭan*. Therefore, if this takes place, then the rulings of travel do not apply. Travel and *waṭan* are opposites, if one is removed, the other appears. God knows best.<sup>39</sup>

While Nur al-Din here evades the question of taking both Zanzibar and Oman as one *waṭan*, he also seems to suggest it is possible to take two homelands, “if necessary.” If one were to take the case of “summer” and “winter” homes as an analogy, one might accept the argument that Oman and Zanzibar, though clearly distinct, were also both “home.” In his collection of rhymed prose, on the other hand, Nur al-Din explicitly acknowledges that free men, at least, can take more than one home, though he does not specify Zanzibar. Nur al-Din, though, was acutely aware of the different political and religious conditions in Oman and in Zanzibar after the establishment of the British protectorate. The *feeling* of home, embodied through prayer, was entwined with the political conditions of Omani and British colonial rule.

### Of Slaves and Wives

Though the majority of the questions posed in the *Jawābāt* related to free men, some questions also concerned women and wives. The subject of slaves appears more in the work of rhymed prose. Of the forty-eight *fatawa*, nine concern women or wives. It is also impossible to tell whether the authors of the questions in this compilation are male or female, though sometimes a questioner makes his or her gender clear by referring to a relative or spouse. Still, a significant number of the questions pertain to relations between men and women, highlighting that women were accompanying their husbands and that men were marrying women on their “travels.” In general,

<sup>38</sup>a-Salimi, *Jawābāt*, 2010[n.d.], vol. 2, 102. Al-Salimi makes similar arguments in *Jawhar al-Nizām*; as well as in *Ma’ārij al-āmāl*, vol. 5, 173–78.

<sup>39</sup>al-Salimi, *Jawābāt*, 2010[n.d.], vol. 2, 107.

Nur al-Din argued, women were to follow their husband's declarations of taking a homeland, and to pray a full or shortened prayer.

However, in response to some interesting situations, Nur al-Din diverges from this rule and suggests that a woman should pray either according to her own heart's *waṭan* or in distinction to her husband if he was refusing to take a *waṭan* even in a place where it was clear he had made his home.<sup>40</sup> In a case in which a woman had made a condition of her marriage that her own region remain their home (implying that his home was elsewhere), Nur al-Din states that the man should adjust to her full prayer at her natal home, even if he considered it "travel."<sup>41</sup> Clearly, in this instance, the grounds of an agreement or contract outweighed the man's own feelings. It is in the questions related to marriage and women that the most vivid dilemmas arose, as people grappled with their senses of "home" and their social relations across different lands.

While the relationship of free women to their male or female slaves is not mentioned by Nur al-Din, he does discuss the relationship of free men to their slaves. As "dependents," the analogic relations of slaves and wives to free men has a long history in Islamic jurisprudence.<sup>42</sup> In the *Jawābāt* compilation, the only reference to slaves and travel prayer, however, is to point out the hypocrisy of those Omanis who claim that their "home" is still in Arabia when they have settled in Zanzibar, taking concubines and slaves. But there is a reference to prisoners or those who commit great crimes and "do not know when they will be freed." In these cases, Nur al-Din argues, the prisoner prays the *waṭan* prayer.<sup>43</sup> Whether there is an analogy between a prisoner and a slave is not indicated explicitly, though the issue of an unknown duration of remaining unfree could be comparable. In *Ḥall al-Mushkilāt*, a questioner does make a direct analogy between a woman's divorce and a slave's emancipation from bondage (*al-riqq*), to which Nur al-Din responds, if returning to her original *waṭan* after divorce, she would pray the full prayer there.<sup>44</sup> While he does not directly comment on the question of the slave and his or her "home" after being freed, the questioner makes an explicit analogy. Given that Nur al-Din does not suggest an alternative, one could presume that the same principle would apply to a freed slave returning "home."

There is a more extended discussion of the status of slaves and prayer in *Jawhar al-Nizām*, a text that articulates behavioral requirements absent of direct questions. Here, Nur al-Din argues that slaves, like wives, should follow their owners' prayers. If the owner is traveling, then the slave prays the travel prayer. If the owner is home, they both pray the full prayer.<sup>45</sup> However, he does draw a distinction between slaves and wives, noting that if a man who is traveling purchases a slave, then the slave begins praying the travel prayer (even if he or she had previously been "home"), while a woman who marries a traveling man will continue to perform the full prayer.<sup>46</sup>

Nur al-Din also notes that slaves who flee must pray the full prayer and those who the master declares will be manumitted upon the master's death (gaining the status of

<sup>40</sup>Ibid., 103–4.

<sup>41</sup>Ibid., 86.

<sup>42</sup>Kecia Ali, *Marriage and Slavery in Early Islam* (Cambridge: Harvard University Press, 2010).

<sup>43</sup>al-Salimi, *Jawābāt*, 2010[n.d.], vol. 2, 99–100.

<sup>44</sup>al-Salimi, *Ḥall al-Mushkilāt*, 69.

<sup>45</sup>al-Salimi, *Jawhar al-Nizām*, 2010[n.d.], vol. 1: 120.

<sup>46</sup>al-Salimi, *Jawhar al-Nizām*, 1989[n.d.], vol. 1, 122.



*mudabbir*) must continue to pray as he does while the master is alive.<sup>47</sup> These expectations highlight that slaves who were Muslim had specific sets of pious obligations and, like wives, did not have the power to choose when they felt “home.” In fact, Nur al-Din contends with this very tension for those who cannot choose for themselves whether to pray the “homeland” prayer or not, for those whose hearts may not be “home” but may be required to pray as such anyway. They are, he notes, those who suffer. Clearly, a homeland of the soul was structured by deep inequalities.

And, [for he] who is obliged to take a *waṭan*  
his heart suffers and is not in his homeland.

## Part II

### *Undesirables, Subjects, and the Introduction of Immigration Policies*

While these questions about homeland, belonging, and movement were posed in the context of the tensions surrounding the growing British presence in the Western Indian Ocean, British officials also grappled with migration in the administration of their empire. As this section of the article demonstrates, British officials struggled to impose controls even when intent on regulating movement. The story of the control of movement is, as scholars have long recognized, integral to the emergence of modern polities. But its imposition was often tactical, with officials responding to immediate crises and questions. In other words, it also reflects confusions in governance.<sup>48</sup> As British officials increasingly required safe passage documents and passports for travelers from the Sultan of Muscat’s office and other sheikhdoms on the Arabian Peninsula, residents often ignored the requirements, found documents too difficult to obtain, or used them for their own ends. Even when documents were issued, they frequently failed to conform to British expectations and attempts at standardization. Not surprisingly, British officials regularly adjusted their administrative approaches and, nearly as regularly, disagreed with each other about how to determine who was required to have what documents. This article cannot do justice to all the twists and turns of these policies. Rather, I focus on the particular attempts at controlling and regulating movement in the twentieth century’s first decades, particularly the uncertainties and confusions around political membership and its documentation. I emphasize the difficulties of determining jurisdiction, the growing significance of designating travelers as subjects of a ruler (based on birth or origins) and finally, the legitimizing function of paper documents (the travel pass and passports). As Nur al-Din was addressing the questions of how pious Ibadis should enact their daily religious obligations, which required of them to decide their “homeland,” British officials were developing procedures for how to regulate membership within and across political borders.

<sup>47</sup>Ibid., 119.

<sup>48</sup>See also, Benton, *Search for Sovereignty*. For more on tactical rather than strategic government, see Ilana Feldman, *Governing Gaza: Bureaucracy, Authority, and the Work of Rule, 1917–1967* (Durham: Duke University Press, 2008). Laura Fair and William Bissell have also both beautifully highlighted the incapacities and incoherence of colonial governance in Zanzibar. See *Pastimes and Politics: Culture, Community, and Identity in Post-Abolition Urban Zanzibar, 1890–1945* (Athens: Ohio University Press, 2001); and *Urban Design, Chaos, and Colonial Power in Zanzibar* (Bloomington: Indiana University Press, 2010), respectively.

Debates among officials in Zanzibar about how to control immigration from Arabia to the island may have peaked in 1939 around the issue of “Manga Arabs,” a term used by British officials, the origins of which have long been debated, to refer to lower-status Arabs from Oman. But the first discussion of immigration controls in Zanzibar occurred thirty-five years earlier, around the time that Nur al-Din was writing his *fatawa*.<sup>49</sup> In 1903–1904, two sets of linked debates about mobility and belonging were taking place in the Western Indian Ocean among British officials: one concerned jurisdiction, slavery, and flagging, and the second involved laborers. The first debate coalesced around what became the “Muscat-Dhows case,” the fourth suit to be heard at the Permanent Court of Arbitration at The Hague. This 1904 case exposed a convoluted system of imperial protections, jurisdictions, and rivalries (never mind documentation) that continued well into the 1940s. As Fahad Bishara has shown, the determination of who could be protected by which imperial power (France or Britain) as opposed to a seemingly independent sovereign (the Sultan of Muscat) was bitterly contested.<sup>50</sup> The sea was itself the focus of much legal wrangling, too, since the French claimed it was possible for people to belong to the sea, whereas the British insisted that birth (on land), and perhaps marriage and residence, determined subjecthood.

The second set of debates, also from 1903–1904, pertained to the control of laborers who had been working on the Ugandan railroad and had traveled to Zanzibar to find other work.<sup>51</sup> The recommendation in Zanzibar at that time was to look to the laws of Cape Colony and Natal, which had just passed restrictive immigration laws (The Immigration Act of 1902) that prohibited “the landing of any person who could not write out an application or sign in the characters of any European language and who could not provide evidence of some financial means to support himself/herself.”<sup>52</sup> These debates, however, were aimed less at determining who belonged where or who was a subject of which ruler than at marking who was undesirable and thus unwelcome to land.<sup>53</sup> As John Torpey has argued, until World War I immigration controls were focused initially on “undesirable” outsiders, but were subsequently directed at “national” groups.<sup>54</sup>

<sup>49</sup>The issue of immigration control also became highly charged in the 1950s, especially with the increase of immigration from the mainland. See Jonathan Glassman, *War of Words, War of Stones: Racial Thoughts and Violence in Colonial Zanzibar* (Bloomington: Indiana University Press, 2011).

<sup>50</sup>Fahad Bishara, “No Country but the Ocean: Reading International Law from the Deck of an Indian Ocean Dhow, ca. 1900,” *Comparative Studies in Society and History* 60, 2 (2018): 338–66. See also, Matthew Hopper, “Imperialism and the Dilemma of Slavery in Eastern Arabia and the Gulf, 1873–1939,” *Itinerario: International Journal on the History of European Expansion and Global Interaction* 30, 3 (2006): 76–94; Hideaki Suzuki, *Slave Trade Profiteers in the Western Indian Ocean: Suppression and Resistance in the Nineteenth Century* (London: Palgrave Macmillan 2017); and Laleh Khalili, *Sinews of War and Trade: Shipping and Capitalism in the Arabian Peninsula* (London: Verso Press, 2020).

<sup>51</sup>See “Restriction of Immigration into Zanzibar, 1903–1905,” Public Record Office FO 107/129.

<sup>52</sup>Uma Dhupelia-Mesthrie, “The Passenger Indian as Worker: Indian Immigrants in Cape Town in the Early Twentieth Century,” *African Studies* 68, 1 (2009): 111–34, 118.

<sup>53</sup>Eventually, in 1906, a permit system was established.

<sup>54</sup>Radhika Mongia maintains that the practice of assigning “national” identities in migration prior to World War I took shape through the management of free (not indentured)—white—labor, and not only through a distinction between desirables and undesirables. John Torpey, *The Invention of the Passport* (Cambridge: Cambridge University Press, 2000); Radhika Mongia, *Indian Migration*.

In Zanzibar, little came of the recommendation to look to the Cape Colony laws. Edward Clarke, the British Consul General in Zanzibar, raised the issue of immigration again in 1909, and yet again in 1912. In 1912, he became alarmed by what he saw as “the entry of undesirables from German East Africa” in light of the fact that “Zanzibar was unprotected by any form of immigration restriction and was likely to become a dumping ground.”<sup>55</sup> Zanzibar, he complained, was “the only place on the East African coast where immigration was not controlled.”<sup>56</sup> The Foreign Office replied to Clarke’s requests for increased controls by pointing out their impracticality; British officials would not be permitted to board foreign ships or to make ship captains responsible for their passengers in the event of possible repatriation. The only way to circumvent German and French objections would be to proceed not with immigration decrees, but with “Public Order” decrees, and in fact it took the declaration of martial law in Zanzibar in 1915 for an Office of Immigration and Embarkation to be established. In 1916, Zanzibar implemented further emergency regulations, prohibiting the landing of any subject of an “Enemy State” and any person who was not in possession of a passport.<sup>57</sup>

At this time the “passport” referenced above was not a standardized booklet, but rather a travel pass or safe passage document, linking “subject” to ruler to territory, rather flexibly. Nevertheless, a documentary trail that denoted official subjecthood was clearly being articulated, all premised on an idea of a single ruler controlling a territory in which his subjects were born. Such a document proved to be extremely difficult to regulate.

These demands for immigration controls emerged in conjunction with discussions about nationality as well as about labor. In Zanzibar, a “Nationality and Naturalization Decree of 1911” established nationality policy there, while a 1914 edict in Muscat clarified some requirements for *changing* allegiance. The 1911 decree established three paths to nationality: birth, naturalization, and marriage. For birth, the child either had to be born within the dominions of the Sultan of Zanzibar (to either a Zanzibari or non-Zanzibari father) or outside the dominions to a Zanzibari father.<sup>58</sup> As James Brennan has illustrated, the patchwork of German East African colonial arrangements, Zanzibari Sultanate jurisdictional claims, and British protectorate governance produced on-going debates about sovereignty and, in particular, attempts to define the extent of the Sultan’s “dominions.”<sup>59</sup>

In Oman, British officials recognized Omanis only as subjects of the Sultan of Muscat, and not the Imam, despite the establishment of the Imamate in 1913 and the agreement of *Sīb* in 1920, through which the Imamate and the Sultanate recognized each other as more or less independent polities. Although he died in 1914, Nur al-Din al-Salimi was instrumental in the establishment of the Imamate. Perhaps not surprisingly in that year, questions about identifications and naturalization came to a head over tensions with Germany. In June 1914, the Omani Sultan, Taimur bin Faysal al-Bu Saidi, learned that supporters of the Imam from Sharqiyya (eastern

<sup>55</sup>See “Immigration Regulation Decrees, July 1920–July 1953,” Zanzibar National Archive AB 26/15.

<sup>56</sup>See *ibid.*

<sup>57</sup>*Ibid.*

<sup>58</sup>See “Interpretation by HMG of the Zanzibar Nationality and Naturalization Decree,” Public Record Office FO 372/7122, Nationality and Naturalization Decree, 1911 (Cap. 134).

<sup>59</sup>See James Brennan, “Lowering the Sultan’s Flag: Sovereignty and Decolonization in Coastal Kenya,” *Comparative Studies in Society and History* 50, 4 (2008): 831–61.

coastal Oman) were journeying to East Africa and acquiring German identity documents there, thereby allowing them to travel without fear of arrest, even while bearing arms back to Oman.<sup>60</sup> With the outbreak of World War I, British officials became alarmed by any link to Germany and worried that the Sultan might establish his own private commercial treaties with Germany.

British advisors to the Omani Sultan therefore drafted an edict prohibiting any “Omani-born subject” (*ra‘iyya*) (or son or grandson of any Omani-born subject), “Arab by race and nationality,” from acquiring “naturalization” documents from a foreign state, unless such a “transfer of allegiance” had been approved by the Sultan himself or by means of a treaty arrangement.<sup>61</sup> A document was later created to provide consent from the Sultan to allow an “Omani Arab born subject” to change allegiance.<sup>62</sup> This emphasis on birth contrasts markedly with the notion of homeland articulated by Nur al-Din.

It should be noted, too, that the term “*ra‘iyya*” (subject) increasingly appears on official travel documents as British officials dictated what kind of information should be noted there, demanding confirmation that each person was a “subject” of one ruler, who would in turn be recognized as such by the British. The term’s Anglo-Indian legal genealogy, however, suggests a more varied set of referents. According to the British Indian imperial dictionary, *Hobson-Jobson*, the Anglo-Indian word “*raiyat*” or “*ryot*” derived from the Arabic and/or Persian *ra‘iyya*: “its specific Anglo-Indian application is to a ‘tenant of the soil,’ an individual occupying land as a farmer or cultivator.”<sup>63</sup> According to Suraiya Faroqhi, the term “*ra‘iyya*” referred to the status of peasant and tax-payer (as opposed to soldier) in Ottoman territories and not “subject” per se.<sup>64</sup> Furthermore, in Ibadi jurisprudence individuals living under Imamate rule were referred to as allies (*hulafā’*) or followers (*atbā’*) rather than as “*ra‘iyya*”.<sup>65</sup> These new documents demanded instead the use of the term “subject.”

Further complicating these procedures and categories were questions of “protection,” which were first raised in the context of the 1904 Muscat Dhows case and cropped up again in the 1910s as a result of petitions by men from Arabia requesting British-protected status due to their relatively permanent settlement in East Africa.<sup>66</sup> As concern about the exclusion of undesirables gave way to the designation of subjecthood, questions about identification and belonging

<sup>60</sup>See “Muskat: Transfer of Oman Subjects to other Nationalities, June 1912–Oct. 1914,” India Office Records (henceforth IOR) R/15/1/426, 62. See also, Said bin Mohammad al-Hashimy, *The Imamate Revival*, PhD diss., University of Leeds, 1994, 46–47; Mathews, *Zanzibar Was a Country*; and J. E. Peterson, “The Revival of the Ibadi Imamate in Oman and the Threat to Muscat, 1913–1920,” *Arabian Studies* III (1976): 165–88.

<sup>61</sup>See “Muskat: Transfer of Oman Subjects to other Nationalities, June 1912–Oct. 1914,” IOR R/15/1/426, 65, 67. For a discussion of allegiance and subjecthood among Indians in Muscat and in Zanzibar in the nineteenth century, see Bishara, *Sea of Debt*, 120–24.

<sup>62</sup>See “Muskat: Transfer of Oman Subjects to other Nationalities, June 1912–Oct. 1914,” IOR R/15/1/426, 69.

<sup>63</sup>Col. Henry Yule and A. C. Burnell, *Hobson-Jobson* (Oxford: Oxford University Press, 2015[1886]), 447.

<sup>64</sup>C. E. Bosworth and Suraiya Faroqhi, s.v. “*Ra‘iyya*,” in P. J. Bearman et al., eds., *Encyclopedia of Islam, Second Edition* (Leiden: Brill, 2012).

<sup>65</sup>al-Hashimy, *Imamate Revival*, 87.

<sup>66</sup>See “Muskat: Transfer of Oman Subjects to other Nationalities, June 1912–Oct. 1914,” IOR R/15/1/426.

flummoxed British colonial officials. Despite this, the determination of homeland through the identification and documentation of subjecthood became essential to the regulation of movement.

### *Is He a “Subject?”*

Although immigration controls became far more stringent after World War I, confusion about their enforcement reigned throughout the 1920s and 1930s, and even into the 1940s. In 1922, the Zanzibar Attorney General recommended that a new immigration decree should be instituted and by the following year the 1923 Immigration Decree was promulgated.<sup>67</sup> This decree, established thirteen years after Nur al-Din’s condemnation of Omani Ibadis for their hypocrisy, highlights the shared concerns of an Ibadi theologian and the Zanzibar government in clarifying questions of homeland at a particular historical moment.

In response to the decree, the Arab Association, an organization established in 1911 to represent Arab interests, remained officially silent, but the Indian Association formally objected to some of its measures, including the demand for passports.<sup>68</sup> The Indian Association pointed out that the passport system had been introduced as a “temporary” measure during the war and that it should no longer apply, especially since “there should be no restrictions of any such sort on traveling within the Empire.”<sup>69</sup> The British Resident, John Houston Sinclair, responded by stating that the affirmation of the passport system was an “imperial measure, and in fact a world-wide measure,” and left unanswered the question of why British subjects needed a “passport” to travel within the empire at all. Indeed, it was confusing to many Omanis why “subjects” of the Sultan of Muscat—who was a cousin of the Sultan of Zanzibar—needed them, since they saw Zanzibar as an extension of Oman and since Zanzibar was officially a protectorate and not a colony.

The status of “Omanis” and “Muscatis” was confusing not only in the region, but also for colonial administrators in London. In fact, by the mid-1930s, it was still not entirely clear to officials in the metropole whether subjects of Muscat (not to mention subjects of the Omani Imam) were also British Protected. The ambiguous status of Muscat as an “unofficial” protectorate while Zanzibar was an official one and Oman was “independent” made such questions difficult for officials to answer. In February 1936, an application by a “Muscati subject” in England for an “emergency certificate” as a British Protected Person or a seaman’s certificate of nationality was making the rounds. The request was forwarded by the Home Office to the Colonial Office and then to the India Office and finally to the office of the High Commissioner for India, who also asked whether it should go to

<sup>67</sup>See “Immigration Regulation Decrees, July 1920–July 1953,” Zanzibar National Archive AB 26/15. Zanzibar was not alone in promulgating new immigration decrees in 1923 and 1924. The United States instituted its Immigration Act of 1924 affirming a quota system, first introduced in 1921, that cemented the passport system. See also Torpey, *Invention of the Passport*.

<sup>68</sup>For a history of the Arab Association, and as noted by Glassman, *War of Words*, see *al-Falaq*, 21 Dec. 1946.

<sup>69</sup>See “Immigration Regulation Decrees, July 1920–July 1953,” Zanzibar National Archive AB 26/15.

the Foreign Office.<sup>70</sup> Some officials saw no problem in issuing passports or emergency certificates to “Muscati subjects” because Muscat maintained “special treaty relations” with His Majesty’s Government, even if it was not an official protectorate. Others noted that there was no point in issuing a certificate if the person was not in fact either a British subject or a protected person, and Muscat subjects were neither. One official at the India Office wrote, however, that though Muscat was not *in theory* a “protected state,” *in practice* it was treated as such, just like Bahrain and Kuwait. Bahrain was not in fact a “protected state,” but clearly this was not known to the official in the India Office. Interestingly, the man who applied for documents in the first place, Yusuf Nassar, apparently told the Chief Constable who interviewed him that “he had been informed by the Police that he was not a British Subject,” suggesting that Nassar had believed himself to be one. In response to this confusion, the India Office official recommended the creation of an altogether new legal category, “Subject of Muscat and Oman—British Protected Person,” but deferred to the Foreign Office for affirmation.

In response, the Foreign Office issued a telegram in January 1939 to the Home Office that was then circulated to the India Office, reminding both of the definition, established in 1914, of a “British Subject” as opposed to a “British Protected Person.” Those born in a *colony* after January 1915 would be subjects, while those born in a *protectorate* would be protected persons. If, however, a child in a protectorate was born to a British father, the child would be a British subject.<sup>71</sup> Similarly, Britain would exercise jurisdiction over British subjects in foreign countries according to capitulatory arrangements. As Muscat and Oman were not protectorates and this “Muscati” did not appear to have been born to a British father in a protectorate or in Muscat, the Home Office would not consider him a British subject or protected person.<sup>72</sup>

Working through this tangle of policies and seeking to reconcile their legal categories with local practice, British officials often returned to place of birth and paternity as their starting points, and on this ground attempted to construct a system of identification, jurisdiction, and governance. None of this was straightforward. The archives testify to ongoing confusion, as well as to the distinctions “theory” and “practice.” Homeland was, clearly, not a matter of the resting place of a free man’s soul, nor was it the responsibility of the individual to decide.

### *The Demands of Paper*

The demands of paper, rather than the inclination of the heart, was becoming ascendant in defining a person’s relationship to place (and, eventually, rule). As noted above, the use of the passport in the Indian Ocean dates initially to 1916 but

<sup>70</sup>See “National Status of the Subjects of Muscat, 1936,” IOR L/PS/12/2979.

<sup>71</sup>European jurisprudence had long established these legal customs. Emer de Vattel’s eighteenth-century text, *The Law of Nations* (Carmel: Liberty Fund, 2008[1714–1767]), for example, outlined such distinctions and categories. Here, I wish to highlight the continuing need to declare and disseminate the definitions since such legal categories were still unclear, even to officials in the early twentieth century. Emer de Vattel, *Laws of Nation*.

<sup>72</sup>See “National Status of the Subjects of Muscat, 1936,” IOR L/PS/12/2979.



became more widespread after 1920 when a standard international passport format was agreed upon at the League of Nations conference in Paris. The “Nansen” passport intended for stateless people was adopted in 1922, while in 1926 the Geneva passport convention reiterated the need for a standardized international system. Though the first attempts at requiring travel documents in Zanzibar in 1916 foundered on the inability of British officials to convince (or coerce) people from Muscat and Oman to carry such papers, by the late 1920s travel documents of some sort were more regularly used. Still, this practice did not proceed without objections and confusions, as the reaction of members of the Indian Association makes clear.

Prior to 1929, when passport books finally arrived in Muscat, some travelers from Oman and Muscat had in fact acquired safe passage papers. Issued throughout the Persian Gulf by the agencies, residencies, and local governments, such documents sufficed for travel, though British political agents sometimes complained that local government identity papers lacked detail and made it impossible for port officers to know whether the person traveling was in fact the person bearing the document.<sup>73</sup>

As Lindsey Stephenson has illustrated, at the beginning of the twentieth century the Qajar Government in Iran also began issuing internal travel passes, called “*ilm-o-khabar*,” aimed at regulating travel within the Persian Empire, and external travel passes, called “*tazkireh*,” required for travel between empires.<sup>74</sup> Not surprisingly, this travel pass system and the questions about what lands and ports were under whose sovereignty, raised serious tensions, as Britain was carving out the sheikhdoms of the Persian Gulf under its “protection” at a time of growing Iranian nationalism.

These policies, Stephenson shows, were modeled partly on Ottoman bureaucratic practices for internal travel with the *mürur tezkeresi*, based on an authorization (*ilmühaber*) for civil servants and an identity card (*nüfus tezkeresi*).<sup>75</sup> As Fahad Bishara notes too, mariners carried another form of safe passage document, known as “*qawl*” (declaration), to ensure freedom of navigation.<sup>76</sup> While the Ottoman, Qajar, and British empires were producing conflicting travel passes, Omanis traveling to Zanzibar and into the Gulf generally carried documents labeled “*Tadhkirat al-Mürür*” or no documents at all.<sup>77</sup>

Below is an example of a travel pass issued in 1928 by the head of the council (*raīs al-wazara*) of the Sultan of Muscat for a merchant and his sons, to travel to Bahrain.<sup>78</sup>

<sup>73</sup>See “Consular: Passport and Visa Regulations (governing Bahrain, Muscat, Kuwait and other Sheikhdoms), Dec. 1929–Oct. 1934,” IOR R/15/2/1748.

<sup>74</sup>Lindsey Stephenson, *Rerouting the Persian Gulf*, PhD diss., Princeton University, 2018.

<sup>75</sup>See also Christopher Herzog, “Migration and the State: On Ottoman Regulations Concerning Migration since the Age of Mahmud II,” in Ulrike Freitag et al., eds., *The City in the Ottoman Empire: Migration and the Making of Urban Modernity* (New York: Routledge Press, 2011).

<sup>76</sup>Fahad, “No Country.”

<sup>77</sup>As the Persian Gulf agencies were discussing the passport books and passport papers, one official, possibly in Bahrain and in recognition of the regular traffic across the Indian Ocean, noted that it would also be useful to have access to the Zanzibar ordinance for review. See, “Consular: Passport and Visa Regulations (governing Bahrain, Muscat, Kuwait and other Sheikhdoms), Dec. 1929–Oct. 1934,” IOR R/15/2/1748.

<sup>78</sup>See “Passport Problem in Burshire with Muscat Subject and Persian Policy,” IOR R/15/6/332.

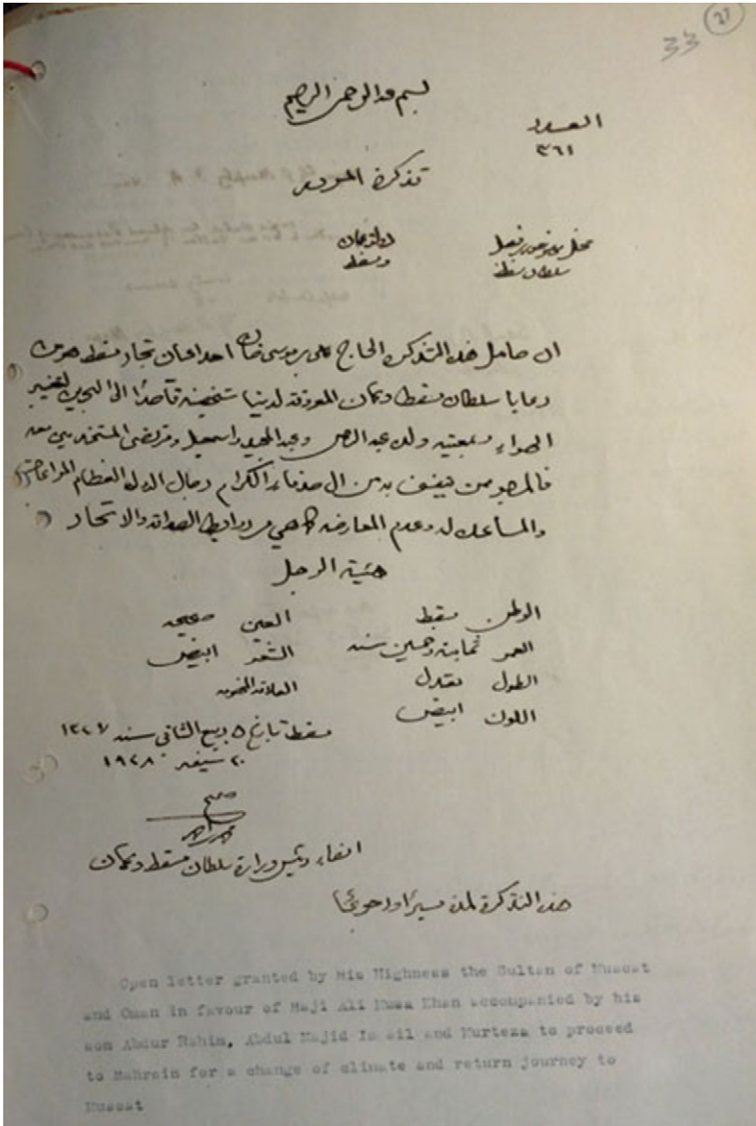


Figure 1. A travel pass issued in 1928 by the head of the council (*raīs al-wazara*) of the Sultan of Muscat for a merchant and his sons to travel to Bahrain.

Unlike the passports and travel passes issued by the Muscat government (as well as the Imamate administration and other potential “secessionist” regions) after 1929, this document is a safe passage request, hand-written rather than typed, and without the standardization of a reproducible bureaucratic form. Instead, it is a “ticket for passage” (*tadhkirat al-mūrūr* and then, in the body, *tadhkirat al-ḥajj*), written as a rather formal letter, kindly requesting safe passage from the “men of powerful governments” (*rajāl al-dawal al-‘azām*) for a well-known man and his sons. The

author of the document, writing on behalf (*mahal*) of the Sultan, uses a combination of Qur'anic and local language rather than modern standard Arabic. He uses, for example, the Qur'anic, rather than modern standard, spelling of "Ismail" as well as phrases particular to the Persian Gulf. The author explains the reason for travel (presumably for pleasure) as a change of "air" (*taghayar al-hawā*), rather than climate (*taghayar al-jaww*). Though *hawā* is also an Arabic word, it is more widely used in the Persian Gulf than the modern standard "*jaww*." Similarly, the Sultan's representative lists the appearance/position of the man (*haiy'a al-rajal*) rather than using the more general term, description (*al-awṣāf*), that became common later. The identifying features also differ from those of later, more standardized documents. In this case, the author writes that the traveler's homeland (*al-waṭan*) is Muscat, his color (*al-lawṇ*) is white, that his height is average (*ta'adul*), and that his eyes are healthy (*saḥīḥa*). That he indicates "color" is interesting, though what other color options were possible is not clear from this letter. There is also an interesting reference not to the man's eyes. Rather than noting their color, as British officials likely wished, the document references their health. At a time when trachoma was a serious concern and a potential cause for refusing entry to Zanzibar, for example, the issue of "healthy" eyes would have mattered more. While the letter indicates awareness of British identificatory expectations, it is also a hybrid, non-standard document, revealing the slow march of bureaucratic regulation.

Throughout the Persian Gulf, book passports and paper passports were introduced either in 1929, as in the case of Muscat, or 1930, as in the case of Bahrain (on the model of Muscat).<sup>79</sup> Though neither Muscat nor Bahrain was a protectorate, it was the British political agent who issued them, charging ten rupees for the book passports in Muscat and seven rupees in Bahrain. Book passports were distinguished from the paper passports as the former were used for travel outside the Persian Gulf, while the paper passports were used for travel between the Persian Gulf sheikhdoms and Muscat, but not Zanzibar.

This new passport regime brought with it unintended consequences. British officials soon discovered that one sheikh was using the requirement for travel documents to further his own claims of sovereignty from Muscat and the Imam. In 1929, the sheikh of Ja'alan Beni Bu Ali, Ali bin Abdullah al-Hamoudah, who had been vying for independence since at least 1925, began issuing his own "passports."<sup>80</sup> When the British Resident in Bushire learned of it, he instructed all consulates to impound any such documents.<sup>81</sup> This minor incident reflected the establishment of Beni Bu Ali's own custom house in Sur, a coastal town and the focus of the famed Muscat-Dhows case. It also prefigured greater tensions with the Ja'alan sheikh who became something of a thorn in the side of the British. There is no question that these documents were a symbolic form of declaring and establishing sovereignty. In 1930, RAF planes bombed al-Hamoudah's village, enabling the Sultan to reestablish control there.<sup>82</sup>

<sup>79</sup>See "Consular: Passport and Visa Regulations (governing Bahrain, Muscat, Kuwait and other Sheikdoms), Dec. 1929–Oct. 1934," IOR R/15/2/1748.

<sup>80</sup>See "Muscat Miscellaneous, Dec. 1925–March 1928," IOR R/15/1/423. See also "Correspondence Relating to the Rebellion of the Sur Area, Dec. 1928–June 1930," IOR R/15/1/442.

<sup>81</sup>These documents were issued by the "Government of Ja'alan and its dependencies," and signed by the "governor of Ja'alan and its dependencies in the East of Arabia in Oman." See, "Illegal Travelling Permits Issued by the Emir of Jaalan, Beni Bu Ali, to Muscat Subjects, Dec. 1929–March 1949," IOR R/15/2/1408.

<sup>82</sup>J. E. Peterson, *Oman in the Twentieth Century: Political Foundations of an Emerging State* (London: Croom Helm, 1978), 127.

But this was hardly the only new problem to emerge. One India Office file about passports from 1929 to 1934 in Bahrain, Muscat, Kuwait, and other sheikhdoms is dominated by difficulties with the available and acceptable documents as well as the issuing authorities.<sup>83</sup> Rather than becoming regularized, by 1931, the system of issuing passport books and papers (to say nothing of visas) by the agents or sheikhs of the Persian Gulf became so cumbersome that the Political Resident in Bushire asked whether dhow travelers, and especially pearl divers, truly needed such documents and whether the demand then was actually causing more problems.<sup>84</sup> Thus, it was decided that to prove their occupation, divers would be asked to produce their “diving books,” while all other travelers could get a paper “pass” indicating their name and signed with the “seal” of the ruler of the sheikhdom. Of course, this required each ruler to have a seal. In Zanzibar, by contrast, significant resources were devoted to preventing poorer Manga Omani Arabs from entering the protectorate at all.

In British discussions on the regulation of movement, a link between ruler, subject, and territory appears increasingly self-evident, even though establishing the identity of subjects created enormous difficulties. The ideal, though, remained: a ruler rules a territory, in which his “people” were born and live, and as a result of which they can be recognized by the ruler’s office, and granted permission to travel from one territory or home to another.

## Conclusions

From the perspective of the twenty-first century, the meaning of *waṭan* appears obvious in Oman as it does elsewhere in the Arab world. It is a nation-state with territorial borders (even if some borders remain ambiguous), a sovereign ruler, and a growing, if tenuous, sense of a shared history. Among religious scholars of Ibadism too, *waṭan* is understood to be akin to the nation-state. In a recent paper, for example, “The Notions of Waṭan and Place in Ibadi *Fiqh*,” Ahmad Abu l’Wafa of Cairo University argued that taking a *waṭan* in Ibadi *fiqh* is an obligation and that international borders separating sovereign countries are “natural” and inherent to Ibadi thought. He contended, furthermore, that regional or territorial jurisdiction appears in medieval Ibadi texts: “The ruler gets to be fair to his subjects (*ra’iyya*) and go to war with those who fight him, within the border of his land where he is ruling.”<sup>85</sup>

Similarly, when Sheikh al-Khalili pronounced in 2003 that Omani-Zanzibaris should accept that Zanzibar rather than Oman was their homeland and that they should therefore no longer perform the travel prayer, he equated homeland with the territorial state. This conception of homeland is not defined by the limits of the built environment, the orientation of peoples’ hearts, or the duration of travel. Rather, it is an officially defined and recognized sovereign state with territorial borders. While Sheikh al-Khalili might not go as far as Ahmad Abu l’Wafa in insisting that *medieval* Ibadi jurisprudence promoted ideas of territorial boundaries and national

<sup>83</sup>See “Consular: Passport and Visa Regulations (governing Bahrain, Muscat, Kuwait and other Sheikhdoms), Dec. 1929–Oct. 1934,” IOR R/15/2/1748.

<sup>84</sup>See *ibid.*

<sup>85</sup>Ahmad Abu l’Wafa, “Mafhūm al-Waṭan wa al-Makan fī fiqh al-Ibādi” (The notions of *waṭan* and place in Ibadi *fiqh*), unpub. MS, n.d.

sovereignty, al-Khalili nonetheless accepts the notion that homelands are officially recognized territorial states.

In the meantime, paper documentation used for identifying travelers and allowing or denying safe passage has not only become standard but has taken on new meanings. The passport, of course, serves as an emblem of political membership and fortifies state claims to sovereignty. But as a material object, it possesses other valences, too, including evoking feelings of nostalgia for former homelands. When a member of a popular Oman/Zanzibar Facebook group recently posted an image of his black British passport of the Zanzibar Protectorate, for example, others quickly responded with little hearts, thumbs-up images, and crying emojis, signaling their deep emotional attachment to their lost homes, and lives, in Zanzibar.<sup>86</sup> Such nostalgia would have seemed very odd to Omanis at the turn of the century who saw these documents as inconvenient but logistically necessarily to facilitate movement. Still others would have insisted, along with Nur al-Din al-Salimi, that only individuals and not states had the legitimate authority to locate a homeland in a contiguous built environment.

The naturalization of the nation-state, whether in Europe or its former colonies, is the subject of an enormous body of scholarship. In this article, I have drawn attention to the period before this process became sedimented, recognizing that homelands in the Middle East—and elsewhere—were articulated in a multitude of ways. Conceptions of homeland were not limited, in other words, to national territoriality or even to universalist ideologies based on shared ethnic, linguistic, or religious identities. For early twentieth-century religious scholars of Oman, a homeland was spatial, affective, and hierarchical. It was located on land (rather than at sea) and had limits. Individuals were required to have one and to perform religious obligations accordingly. The self-disciplining and performance of pious behavior, such as praying, would help produce a proper homeland. This notion of homeland existed alongside the confused implementation of policies linking polity to birth and territorial borders. As I have explored, the confusions were so significant that officials sometimes concluded that it was best not to demand travel passes at all. Or, they engaged in convoluted debates, and invoke tenuous rationales, to formulate entirely new categories of belonging.

Such discourses were also riven with inequalities. While Omani religious scholars had to contend with the specter of growing British control as well as new imperial policies regulating movement, British officials barreled along in the conviction that they alone possessed the appropriate methods for the management of mobility. These officials may have been aware of the anti-colonial positions of Islamic scholars in the Middle East, and at times they sought their approval as a means of legitimizing new regulations and policies, but even so, they were not concerned with the possibility that such scholars might theorize homeland in relation to proper pious behavior and mobility.

These disparate approaches necessarily elicit comparison, but as this article demonstrates, they should not be considered in isolation from one another. As Omanis traveled across the ocean, they did so from the perspective of an existing political world *and* in response to an expanding bureaucratic system and colonial order. The British may have been unaware of these other conceptions of homeland,

<sup>86</sup>Mathews, *Zanzibar Was a Country*.

but they still aimed to manage subjects whose expectations about belonging and mobility were shaped by them. By presenting the two approaches together in this period of flux, my goal has been to elucidate these relations and their tensions.

By the end of the twentieth century, Nur al-Din al-Salimi's understanding of homeland seems to have been settled, and in Oman as elsewhere in the Middle East *waṭan* came to be equated with the nation-state. That said, contemporary discourses about homeland (and prayer) carry echoes of the legal and political imaginaries from this period of flux. In 2015, the great-grandson of Nur al-Din al-Salimi spoke out against policies in Kuwait officially instituting *zakāt* collection as a "national tax." "I see no justification," he wrote, "for a state to impose *zakāt* so long as Muslim individuals are committed to giving it. In fact one gives *zakāt* just as one also prays because both are person-specific religious obligations."<sup>87</sup> His objection was grounded in principles articulated by his ancestor in relation to prayer: like paying *zakāt*, praying was a person-specific obligation and could not be dictated by an external (state) power. Similarly, shocked reaction to Sheikh al-Khalili's declaration that Omanis living in Zanzibar decades after the 1964 revolution should no longer perform the travel prayer was not simply due to the potential exposure of lassitude in religious observance. The declaration was also stunning because it diverged from views grounded in a vision of homeland beyond state territoriality and from practices enacted and embodied every day in prayer. Such practices continue to remind us of what a homeland might be: a place personally chosen and based in intention. It could be a place where the free heart lives, the soul resides, and where people hit the ground with the fullness of their slippers.

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<sup>87</sup> Abd al-Rahman al-Salimi, "Zakāt, Citizenship, and the State: The Evolution of Islamic Religious and Political Authority," *Journal of the Royal Asiatic Society* 25, 1 (2015): 57–69.

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