

## “Anti-Slave Trade Cruzader”: Lord Holland’s Contribution to the Abolition of the Transatlantic Slave Trade and its Impact on the Anglo-Portuguese Political and Diplomatic Relations

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For if, as he [Holland] trusted, the Slave Trade had been proved to be contrary to justice and humanity, then it must also be contrary to the law of nations.

(Holland, *Parl. Deb.*, 12 Mar. 1810)

The adoption by the British Parliament in 1806 of a global abolition system, a few months before the abolition of the slave trade in the British dominions, inaugurated a new and potentially intrusive approach to foreign affairs, whose long term consequences its authors certainly did not anticipate. By adopting the global abolition system, Britain took responsibility for policing the world, a role currently played by the United States.

In August 1805, when William Pitt was still alive, an order in council had been issued

prohibiting the Importation of Slaves (except in certain Cases) into any of the Settlements, Islands, Colonies or Plantations on the Continent of America, which have been surrendered to His Majesty's Arms during the present War, and to prevent the fitting out of Foreign Slave Ships from British Ports. (*The Statutes of the United Kingdom*, 3, xxxi)

On 31 March 1806 – following Pitt's death and the formation of the "Ministry of All the Talents" – the Attorney General, Sir A. Pigott, introduced a bill that sought to prevent British subjects from supplying slaves to the territories of foreign powers, as well as seeking means to make the August 1805 Order more effective. At its third reading, Pigott's bill was passed by 35 votes to 13. The motion was brought to the House of Lords on 7 May and, one week later, approved with a majority of 25 votes. As there was insufficient parliamentary time available that session to move another motion on the slave trade – this time prohibiting the import of slaves into British territories – Charles James Fox and Grenville decided to confine themselves to outlining the general principles of a future bill, leaving the final parliamentary battle for the following session.<sup>1</sup> Accordingly, on 10 June 1806, after an eloquent speech, Fox submitted his resolution:

That this house, conceiving the African Slave Trade to be contrary to the principles of justice, humanity, and sound policy, will, with all practicable expedition, proceed to take effectual measures for abolishing the said trade, in such manner, and at such period, as may be deemed advisable. (Fox 585)<sup>2</sup>

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1. Charles James Fox (1749-1806), styled "The Honourable" from 1762, British Whig politician and statesman, the second surviving son of Henry Fox (1705-1774), 1st Baron Holland of Fox, and Lady Georgiana Caroline Fox (1723-1774), 1st Baroness Holland of Holland a daughter of Charles Lennox, 2nd Duke of Richmond. Fox was the uncle and tutor of Henry Richard Vassall Fox, 3rd Lord Holland.
  2. Fox's motion was carried unanimously and, on 24 June 1806, brought to the House of Lords, where it passed by 41 votes to 20.

Although credit for the Act for the abolition of the slave trade belongs mainly to Fox and Grenville, the author of the global abolition system was actually William Wilberforce, the independent, though Tory inclined, member for Yorkshire and widely regarded as the leader of the Evangelical movement. During the debates in the Commons on 10 June 1806, Wilberforce had submitted a motion urging "his majesty to take such measures as in his wisdom he shall judge proper, for establishing by negotiation with foreign powers, a concert and agreement for abolishing the African Slave Trade". (Wilberforce 603) Although apparently innocent and passing almost unnoticed at the time, Wilberforce's motion revolutionised British foreign policy and even the nature of international relations itself. The notion of creating a broad consensus between the powers around a common humanitarian ideal, abolition of the slave, was certainly a daring concept.

The implications of second part of Wilberforce's motion, suggesting "assistance mutually towards carrying into execution any regulations which may be adopted by any or all of the contracting parties for accomplishing their common purpose", remain controversial. (*ibidem*; see also Clarkson 2, 525) In effect, "humanitarian grounds" might now be used to legitimise interference in the affairs of other states. Wilberforce's motion opened the way for Palmerston's intrusive foreign policies and, more generally, for modern "democratic interventionism" – which may provide a cover for the realisation of more selfish objectives. After a conference between the two Houses on 15 June 1806, Grenville agreed to bring the subject of Wilberforce's motion to the House of Lords. Accordingly, on 24 June 1806, Grenville submitted a motion for an address to the Throne "beseeching His Majesty to take measures for establishing, by negotiation with foreign powers, a concert and agreement for abolishing the African Slave Trade", which was carried without a division. (Grenville *apud* Bandinel 117-18)

It was Lord Holland who accepted responsibility for enforcing Wilberforce's system.<sup>3</sup> When Fox took office in February 1806, he had asked Holland what post he wanted for himself. Fox hoped that his nephew and pupil would eventually succeed him at the Foreign Office but Holland was more inclined to a diplomatic than to a ministerial career. Holland had told Fox that the Paris embassy would be his ultimate object should peace be restored or, alternatively, he would be interested in the Berlin embassy, but the seizure of Hanover by the Prussians prevented this. (Holland, *Memoirs* 1, 233)

On 26 August 1806, while waiting for a more attractive diplomatic position, Holland accepted a joint-commission with Lord Auckland to negotiate with the American envoys James Monroe<sup>4</sup> and William Pinkney.<sup>5</sup> Monroe and Pinkney had been sent to London by President Jefferson to demand satisfaction for the capture of American ships by the Royal Navy on the high seas. An agreement was eventually reached on 31 December, but in the end Jefferson refused to ratify it. (*ibidem* 2, 98-103; Ilchester, *The Home of the Hollands* 209-10) One of topics discussed with the American commissioners was the introduction of an article (24) on the prospective abolition of the slave trade by the two countries. (Bandinel 140-41) On 15 October 1806, Holland and Auckland wrote to their American counterparts, explaining that, on 12 June, His Majesty had taken the "measures as in his wisdom he shall judge proper, for establishing, by negotiation with Foreign Powers, a concert and agreement for abolishing the African Slave Trade." (Holland and Auckland 629) But the fact that the measure had not been yet approved by the British Parliament together with

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3. Henry Richard Vassall-Fox (1773-1840), 3rd Baron of Holland of Holland and Holland of Foxley, English Whig politician, statesman and hispanist. He was the grandson son of Henry Fox, 1st Lord Holland, and his wife Lady Caroline Lennox, the eldest daughter of Charles Lennox, 2nd Duke of Richmond, a grandson of Charles II. Holland was the nephew of Charles James Fox, the famous Whig politician, who was responsible for his education. In 1797, Holland married Elizabeth Vassall (1771-1845), whose marriage to Sir Godfrey Webster had just been dissolved.
  4. James Monroe (1758-1831), American diplomat, afterwards, 5th President of the USA, the son of a Scotsman, Spence Monroe, and Elizabeth Jones, who was of Welsh descent.
  5. William Pinkney (1764-1822), American diplomat and statesman. His father was English by birth and a loyalist during the War of Independence.

Jefferson's refusal to ratify the compact invalidated the whole scheme. (Holland, Motion on the "African Slave Trade" 748-9)

Following Fox's death, Holland continued the attempt to enforce Wilberforce's system. As Williams notes, however, it was not until 1823 that "emancipation became the avowed aim of the abolitionists", achieved one decade later. (Williams 182) From 1807 to 1814, already in opposition, Holland strove to persuade British governments to put more pressure on states still involved in the slave trade – not least Portugal – to give up the morally unsupportable trade in human beings and to cooperate with Britain to achieve its world-wide abolition.<sup>6</sup> Perhaps inadvertently, Holland was introducing a discordant note into Anglo-Portuguese relations that was to last at least until 1842, almost two years after his own death – when an Anglo-Portuguese treaty for mutual cooperation in the suppression of the slave trade was finally concluded.

Holland's involvement in the establishment and enforcement of the abolition system was most significant between 1806 and 1814. His later parliamentary interventions on the subject were brief and of little political relevance, including a speech in the House of Lords on 23 February 1818, "praying that the colonial assemblies in the West Indies might be urged to adopt such measures as might be most effectual for preventing any traffic in slaves", (Holland, speech on the "Slave Trade" 575) which "subject had received from his majesty's ministers that attention which it so justly merited." (Bathurst 575) But despite Holland's loathing of the slave trade, "one of the greatest evils to which the human race has ever been exposed", his role in the abolition of slavery itself was more ambiguous. (Holland, *Memoirs* 158)

Slavery faced Holland with personal and political dilemmas. He felt morally obliged to follow the position adopted by his uncle and embraced by the Whigs, yet he had also to be mindful of his own

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6. Holland was among the members of the African Institution, a Society formed on 14 Apr. 1807. Its primary object was "to promote the Abolition of the African Slave Trade by Foreign Powers", especially Portugal, who "alone will remain to oppose or obstruct any efforts which may be made for the improvement of Africa." (*Report* 48)

interests as the proprietor of sugar plantations in Jamaica,<sup>7</sup> which Lady Holland had inherited from her father, Richard Vassall. (Chancellor 263)<sup>8</sup> These estates, which in good years could produce profits of £7,000, were worked by slaves. In 1833, on the eve of emancipation, there were 328 slaves on the estates, which produced about 200 tons of sugar per year. (Highman 105) Dependency on the income from Jamaica became obvious in 1821, when crop failure in the West Indies forced painful economies, including reductions in staff and in spending on dinners and parties. Towards the end of 1821, the situation was so desperate that the closure of Holland and Amptill Houses became a serious possibility. As Lady Holland wisely observed, "Open doors brings open mouths." (Vassall *apud* Ilchester, *Chronicles* 25) Signs of improvement at the start of 1822 allowed entertainments to be resumed in March, though on a smaller scale.<sup>9</sup> In the last resort, the elegant salon of Holland House, where there was such polished conversation and so many high ideals were expounded, was founded on slavery; without the forced labour of Africans shipped across the Atlantic in appalling conditions, it simply could not have existed.

As Leslie Mitchell notes, Holland's reliance on income from the Jamaican estates, "made his position on slavery potentially anomalous." (Mitchell 91) Holland's ambiguity on the matter emerges in a motion submitted to the House of Lords on 27 June 1816, when peers debated Bussa's Rebellion, a slave insurrection that had broken out in Barbados on Easter Sunday (14 April). While stressing his desire "to promote the happiness and improvement of the black population," Holland urged strong measures to "protect the lives and fortunes of the white population of the West Indies by removing erroneous impressions which had been made on the minds of the negroes." (Holland, motion upon the "West Indies Slaves" 1271) Such ambivalence led

7. Those of Friendship, Greenwich and Sweet River in the county of Cornwall. (Highman 105)

8. Richard Vassall (1732-95), first son and heir of Florentius Vassall (1710-79) and Mary Foster, daughter of Colonel John Foster of Jamaica. He married Mary Clarke (†1835), daughter of Thomas Clarke, known as Lady Affleck after her second marriage to Sir Gilbert Affleck (1740-1808), 2nd Baronet, of Dalham Hall.

9. Towards the end of 1823, extensive repairs were undertaken at Holland House, forcing the family to live for a while in the Duke of Bedford's house in St James Square and later at Brighton. The repairs suggest that the financial crisis was over. (Ilchester, *Chronicles* 33, 43)

Holland into an awkward position. As Mitchell observes, “the uncompromising views enunciated by Charles Fox inevitably look odd in the mouth of a slave-owner, even if that slave owner was supporting measures to his own financial detriment.” (Mitchell 90)

Holland attempted to resolve his dilemmas by making a distinction between abolition (of the slave trade) and outright emancipation, claiming that “whilst on the one hand it was essentially just that the trade should be abolished, it would on the other be injustice to the slaves to give them emancipation, because it could only tend to their own injury.” (Holland, speech on the “Slave Trade Abolition Bill” 682) But this made little impression on either abolitionists or anti-abolitionists. Perhaps the Duke of Norfolk<sup>10</sup> had Holland in mind when during an abolition debate in the Lords on 23 March 1807, he had declared that “he knew that many of those who were loudest in its praise [of the abolition], were far from being sincere in their wishes for its success.” (Norfolk 170) An anonymous letter from a West Indian published in *Cobbett’s Political Register* for 1807, claimed that at Montego Bay on 9 October 1806 – admittedly through his agent – Holland had purchased several slaves who had been brought from Africa on the *Perseus*. The author concluded:

It was no repugnance to dealing in human blood (...) that caused Lord Holland to come forward as an advocate for the abolition, for he was himself become a purchaser of his fellow creatures, and still holds them in slavery. No, Sir, it was because he found he could follow his own party in the pursuit of popularity, without injuring his own possessions .... (3, 17 Jan. 1807: 82)

Perhaps to alleviate his own conscience, Holland tried to ensure that his slaves had better conditions than those working on other plantations. In a speech in the Lords on 4 February 1819, Holland supported a motion to ascertain the extent to which colonial legislatures had adopted recommendations approved in Parliament on 27

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10. Charles Howard (1746-1815), 11th Duke of Norfolk, the son of Charles, 10th Duke of Norfolk, and Catherine Brockholes. He was associated with the Whig party.

June 1816 and designed to improve the living conditions of slaves. In particular, he urged the authorities in other colonies to attend to the moral and religious education of slaves by following the example of the Jamaican Assembly, which in 1818 had passed an Act “to provide for the appointment of twenty curates to give religious instruction to the Negroes, at the rate of 300*l.* currency each per annum.” (Holland, address on “Slaves in the West India Islands” 849) Holland mentioned that he had ordered churches and schools to be built on his own estates in Jamaica. (Mitchell 101)<sup>11</sup> During a tour of the West Indies in 1837 to inspect conditions under “apprenticeship” – the intermediate stage before full emancipation – Joseph Sturge and Thomas Harvey interviewed about sixty people employed on the Hollands’ Friendship plantation in the presence of their attorney and overseer.<sup>12</sup> Although those Sturge and Harvey spoke to were not very communicative,

They said, however, that they had a kind master and mistress (Lord and Lady Holland); and, when free, which they wished might be to-morrow, they should be glad to remain on the estate and work for wages, rather than leave their houses and grounds to begin the world again. (Anon. 147)

Of course it is difficult to ascertain whether these opinions were genuine or merely the product of fear of what the overseer might do once Sturge and Harvey had gone away.

Yet, it may be unfair to accuse Holland of hypocrisy. On closer analysis, it seems likely that his commitment to abolition was genuine – as indeed were virtually all of his political initiatives, standing as they did in what Mitchell calls the tradition of the Whig tradition of “impeccable Whiggism.” (Mitchell 99) According to Mitchell, despite its financial dependency upon slavery, “Holland House was firmly abolitionist.” (*ibidem*) While “Holland stayed true to the legacy of his uncle”, (*ibidem* 102) he believed that precipitate emancipation would do the slaves more harm than good. Thus he acknowledged the “evils of the

11. See Mitchell, *Holland House*, 101.

12. Joseph Sturge (1793-1859), English anti-slavery writer and member of the Religious Society of Friends or Quakers.



state of slavery", yet insisted that "it was not possible there could be a sudden and rapid passage from that condition, to the enjoyment of all the rights and privileges of the British constitution." (Holland, motion upon the "West Indies Slaves" 1272) Further, emancipation must not be at the expense of the proprietors who deserved proper compensation.

Holland's political diaries for the years 1831-40, while he was Chancellor of the Duchy of Lancaster, provide some idea of his views on the slave question. At Christmas 1831, a major slave revolt, known as the Baptist War, broke out in Jamaica. Originally promoted as a peaceful strike by the Baptist Minister Samuel Sharpe, the movement degenerated into violent rebellion with, as Holland reported in his diary, "great loss of life, severe executions and the destruction of 52 estates." (Holland, *The Holland House Diaries* 136) In the circumstances, the obvious course might have been to take harsh measures to deter other islands from following the Jamaican example, but the British government decided to appoint a Committee to inquire into the state of the West Indian slave population. The Committee was chaired by the Duke of Richmond and Holland was among the members, all of whom were West Indian proprietors – supposedly better acquainted with the problems of slavery. Unsurprisingly, this arrangement was heavily criticised by abolitionists.<sup>13</sup> Despite Holland's good will and assurances of neutrality, the public was unlikely to see him as a model of impartiality, since he was widely seen as a leader of the West India lobby.<sup>14</sup> As Dr Lushington observed at the general meeting of the Anti-Slavery Society, held at Exeter Hall on 12 May 1832, the members of the Committee for the West Indies, including Holland, had been selected "as judges just in proportion to the interest they had in the matter before them." (Lushington 160) *A Letter from Legion to His Grace the Duke of Richmond*, published anonymously in 1832, accused the Committee of being "the

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13. On 24 May 1832, upon the presentation of a petition signed by 135,000 people resident in the London area, praying for the abolition of slavery at the earliest period, Edward Harbord, 3rd Baron Suffield, a radical and an anti-slavery campaigner, accused the Parliament of trying to throw a veil over the subject through the appointment of a puppet commission. Holland came to the defence of the committee, arguing that "his impression was, that it was appointed for the purpose of inquiring into the subject, and for looking at both sides of the question." (Speech on the "Slavery in the Colonies" 14)

14. In 1837, Holland became a founder member of the Society of West Indian Planters. (Mitchell 96, 98)

unconscious murders of their fellow-creatures" and the promoters of "a system of oppression and death." (4-5)

Holland realised that sooner or later "slavery was to cease in our West Indian colonies", (Holland, motion upon the "West Indies Slaves" 1271) but he also wanted compromise between the slave owners and their critics.<sup>15</sup> Hence, while giving full support to the bill emancipating slaves in all British dominions passed in the Lords on 20 August 1833 at the third reading, he insisted that emancipation must "be accompanied with some practical means of maintaining the police [peace?] and the relations between various orders of society without which property cannot subsist." (Durham University Library, Earl Grey Family Papers, MSS Box 111, Holland to Howick (4 Jan. 1833), *apud* Mitchell 97) While Holland had a personal interest in all of this, it should not be forgotten that the sanctity of private property was a central tenet of the Whig tradition.<sup>16</sup> Rather than immediate emancipation – seen as likely to lead to violence and economic dislocation – an Apprenticeship Scheme, proposed by Edward Stanley, was adopted, probably at Holland's suggestion. The scheme, which meant that former slaves could not yet leave their plantations, was supposed to give proprietors and apprentices time to adjust to the new arrangements, but was not a complete success. It did not prevent proprietors from abusing their half-emancipated work force, who were left more vulnerable than before. (Mitchell 99-100)

As in the case of his ideas and day to day position on issues surrounding the Spanish constitution, Holland's position on slavery was essentially pragmatic. Mitchell sees this as an example of "the unusual role of pragmatists moderating the aspirations of idealists." (*Ibidem* 97) Of course, there is a bleaker interpretation: that Holland's role on

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15. Anti-abolitionists were headed by the Marquess of Chandos (1797-1861), later 2nd Duke of Buckingham and Chandos, Chairman of the Committee of West Indian Planters and Merchants, while emancipators were represented by Sir Thomas Fowell Buxton (1786-1859), Wilberforce's successor as the leading advocate of slavery abolition. (See Holland, *The Holland House Diaries*, 55) It is curious that the townspeople of Buckingham were strongly in favour of Abolition; perhaps this was a subtle way of getting at Chandos. The other great cause Chandos espoused was opposition to Catholic Emancipation and he tried hard to cultivate Protestant Evangelicals on this issue. Unfortunately, for Chandos most of the Evangelicals were also against Slavery – and this may have reduced the effectiveness of his anti-Catholic campaign.

16. Holland voted in favour of the proposal, approved by Parliament that the large sum of £20,000,000 should be awarded to the planters as compensation.

the slave question reveals a fundamental contradiction within Whig thought. In short, how could Whigs like Holland survive the end of slavery when their own existence as a class depended on it? Yet if they disappeared from the political scene, how could they stand up for human rights and liberties? Neither the Whigs nor Lord Holland ever gave honest answers to these questions. The slave question is perhaps the most striking example of the fragility inherent in the Whig tradition, and Holland House the best symbol of this fragility. It was a grand centre of abolitionism yet its grandeur was sustained by the very thing the abolitionists wished to destroy. A house built on such paradoxical foundations could not hope to last much longer.

As pioneer in the epic adventure of discoveries, Portugal was the first European country to develop an extensive trade in African slaves. (Blake 95) Even at the end of the eighteenth century, Portugal was responsible for about 25% of the transatlantic slave trade, a figure only exceeded by Britain. (Marques 9)<sup>17</sup> Portugal's involvement in the slave trade had begun as early as the second quarter of the fifteenth century, in the days of Henry the Navigator, when Moroccans, Guanches (inhabitants of the Canary Isles) and Africans from Guinea and Angola were imported into Madeira to work in the sugar plantations. (Saunders 4; Miguel 421-2; Azzimani 59-68) In his *Chronicle of Guinea*, Gomes Eanes de Zurara provided an impressive description of the separation of slaves from their families and redistribution in lots. According to Zurara, "the Infant [D. Henrique] was there, mounted upon a powerful steed, and accompanied by his retinue, making distribution of his favours, as a man who sought to gain but small treasure from his share." (i, 82-3)<sup>18</sup>

The first African slaves arrived in metropolitan Portugal in 1441 and soon became a crucial element in the economy. Writing to Jacome Latomo on 26 March 1535, the Flemish traveller Clenard said

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17. According to figures quoted by Bryan Edwards, Portugal was responsible for 14% of the slaves exported to the British West Indies between 1783 and 1787 (10,000), only surpassed by Britain (51%) and France (27%). (2, 67)

18. Translation from *The Chronicle of the Discovery and Conquest of Guinea* by C. R. Beazley and E. Prestage: "O Iffante era ally encima de hũm poderoso cavallo, acompanhado de suas gentes, repartindo suas mercees, como homem que de sua parte querya fazer pequeno thesouro." Zurara, *Chronica do descobrimento e conquista de Guiné: escrita por mandado de ElRei D. Affonso V* (Pariz: Publicada por J. P. Aillaud, 1841), ch. XXV, 135.

of Lisbon: “Slaves are everywhere. All work is performed by Ethiopian and Moor captives. Portugal is full of that kind of people”. Although Clenard probably exaggerated when suggesting that “in Lisbon male and female slaves are believed to be more numerous than free Portuguese”, his account clearly reveals the importance of slavery in sixteenth century Portugal (20).<sup>19</sup>



“Retábulo de Santa Aua: Casamento de Santa Úrsula com o Príncipe Conan” (“St Aua Altarpiece: Marriage of St Ursula and Prince Conan”), c.1522 / Unknown artist; phot. Sónia Costa. – Oil on oak. – MNAT – Museu Nacional de Arte Antiga, Lisbon. – In the upper right corner, a group of African musicians.

19. “Mancipiorum plena sunt omnia. Aethiopes et Mauri captivi, omnia obeunt munia, quo genere hominum tam est referta Lusitania ut credam Ulyssipone plures esse huiusmodi servos, et servas, quam sint liberi Lusitani.” (my trans.) Carlos Frederico Miguel computed the number of slaves in the Portuguese capital by 1551 in 10% of the population. (423)

A Royal Edict of 19 September 1761, in the days of the Marquês de Pombal, made Portugal the first European country to abolish slavery in its mainland territory. (ANTT, *Leis e Ordenações, Leis, MSS Mç. 6, n.º 40. Alvará, 19 Set. 1861*)<sup>20</sup> But it was not until 23 February 1869, in one of Sá da Bandeira's later governments, that slavery was abolished in all Portuguese territories.<sup>21</sup> It was also under Sá da Bandeira, by the decree of 10 December 1836, that the slave trade was abolished in the Portuguese Empire. But this measure proved ineffective and the lucrative slave trade continued with the more or less open connivance of the Portuguese colonial authorities. Indeed, although Brazil and Spain bowed to British pressure and formally abolished the trade, in practice their slave traders continued much as before but using the Portuguese flag. In other words, Portuguese reluctance to abolish the slave trade was a major obstacle to British attempts to suppress it. (Alexandre 297-9) Evasion through *embandeiramento* ("flagging") had been facilitated by an agreement made between Portugal and Britain in 1817 whereby ships flying the Portuguese flag had been permitted "to import slaves into the Brazils." ("Convenção adicional ao tratado de 22 de Janeiro 1815" 329)

The first informal approach to the Portuguese authorities for possible cooperation in the suppression of the slave trade, dates back to the summer 1806, when Henry Brougham was commissioned to accompany Rosslyn, Simcoe and St Vincent on their mission to Lisbon to settle the terms of British aid to Portugal in case of a French invasion. (Brougham, *Life 1, 326-7*) Brougham's name had been suggested by Lord Holland, to whom he had been introduced in 1805 by Dr John Allen.<sup>22</sup> Although Brougham's official role was as

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20. An English translation of the royal decree was published as "Alvará of the King of Portugal, prohibiting the importation of Black Slaves into Portugal. Lisbon, 19th September, 1761." *A Complete Collection of the Treaties and Conventions and Reciprocal Regulations at Present Subsisting Between Great Britain and Foreign Powers*. 31 vols. London: Printed for T. Egerton, 1820-1825: 5, 403-6.
21. Bernardo de Sá Nogueira de Figueiredo (1795-1876), 1st Barão, Visconde and Marquês de Sá da Bandeira, Portuguese army officer and politician, five times Prime Minister of Portugal, son of Faustino José Lopes Nogueira de Figueiredo e Silva, and his wife D. Francisca Xavier de Sá Mendonça Cabral da Cunha Godinho.
22. John Allen (1771-1843), Scottish physician, historian and political essayist, graduated in medicine in 1791 at the University of Edinburgh. He accompanied the Hollands to the Peninsula in 1802 in the quality of private physician and secretary, a position he held for the rest of his life.

secretary to the envoys, he had been instructed to sound Portuguese Ministers about their willingness to adhere to the abolition system adopted one month earlier by the British Parliament. (McGilchrist 51; Brougham, Address to the House of Commons on the "Slave Trade" 12\*\*\*\*\*; Craik 4: 257) As Holland explained in his memoirs, "his [Brougham's] early connection with the Abolitionists had familiarized him with the means of circulating political papers, and given him some weight with those best qualified to co-operate in such an undertaking." (Holland, *Memoirs* 2, 228) When St Vincent received orders to leave the Tagus on 28 September 1806, Brougham stayed behind to complete his mission, remaining in Portugal until 9 November.<sup>23</sup> But the Chief Minister, Araújo, was unimpressed by Brougham's arguments and he left Lisbon with empty hands and pockets.<sup>24</sup> Apart from worries about who would pay his expenses, (Brougham, *Life* 1, 377) Brougham admitted that "I have nothing of any interest to record." (*Ibidem* 1, 324)

The dismissal of the "Ministry of all the Talents" in March 1807 and Portland's appointment as Prime Minister also resulted in Canning becoming Foreign Secretary. Canning immediately began negotiations with other governments to impose the slave trade abolition

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23. While waiting for a passport for Spain, where he was expected to conduct negotiations with the Spanish authorities, Brougham travelled to the North of Portugal to investigate the state of defences in case of a French invasion. Through his correspondence with Lords Rosslyn and Howick, it is possible to follow Brougham's footsteps: on 21 Sept. Brougham was at Oporto, where he remained until the end of the month; on 29 Sept., he wrote from Viana do Castelo, where he learnt from a Portuguese sea captain that 35-38,000 troops destined for the invasion of Portugal were expected at Bayonne; on 3 Oct., after touring the northern frontier and visiting Bragança and Valença, Brougham wrote from Oporto that a note from Morland had urged him to hasten to Lisbon, though he did not know the reason for such an urgency; on 11 Oct., already at Lisbon, he received secret instructions from Howick to remain in Portugal until further orders were received from England; Brougham embarked for Britain on 9 Nov. (Brougham, *Life* 1, 348-76)

24. D. António de Araújo e Azevedo (1754-1817), 1st and only Conde da Barca, Portuguese diplomat and statesman, the son of António Pereira Pinto de Araújo e Azevedo and Maria Francisca de Araújo e Azevedo. Araújo was Envoy Extraordinary and Minister Plenipotentiary to The Hague (1787, 1801-2), Minister Plenipotentiary to the French Republic (1795, 1797 and 1801) and Minister to Russia (1802-3). He was recalled in 1804 to take the Foreign Ministry, a position he accumulated with that of Kingdom Minister (Home Secretary) from 1806, and which he held until the transference of the Portuguese Court to Rio de Janeiro in November 1807. While in Brazil Araújo was Foreign Secretary (1815-17), Home Secretary (1817) and Minister of Navy and Ultramar (1814-17). Araújo was created Conde da Barca on 17 Dec. 1815 and died in Rio de Janeiro 21 June 1817.



system. On 15 April, he instructed Lord Strangford,<sup>25</sup> British Minister at Lisbon, to “represent to the Portuguese Ministers, the general benefit that would result from the accession of the Government of Portugal, to the fullest extent of the measures which the British Legislature (...) has finally determined to adopt.” (“Copy of a Dispatch from Mr. Secretary Canning” 629; see also Bandinel 126) To this challenge, Araújo duly replied that “he had no difficulty in declaring, that such a measure was utterly impracticable at present”. And, sarcastically alluding to the English system, he declared that “there were no means of collecting public opinion in this country”, (Azevedo *apud* Strangford 629; see also Marques 10) thus it would be impossible to determine whether the Portuguese were favourable or against the abolition of slave trade. (Bethell 6)

Of all the topics discussed in Holland’s memorandum to Domingos de Sousa Coutinho, the future Conde do Funchal, on the transference of the Portuguese Court to Rio de Janeiro in 1807, the issue of the slave trade was the most sensitive. (Holland, “Carta ou memoria” 249-56)<sup>26</sup> Holland’s own position, a slave owner who disapproved of slavery, was complex. Despite the fair prospects Holland identifies for Brazil, there is no escaping the fact that its economy is dependent on slavery. Holland fears that such dependence may increase, perhaps through Rio becoming the main centre of the trade for the whole of South America. His denunciation is forthright: “this human scourge, the traffic in negroes (...) a commerce which is little

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25. Percy Clinton Sydney Smythe (1780-1855), 6th Viscount Strangford, Anglo-Irish diplomat, son of Lionel Smythe (1753-1801), 5th Viscount Strangford, and Mary Eliza Philipse. Stangford accompanied the Portuguese Royal Family to Rio de Janeiro in 1807. As a lusophile, and as an author, Stangford is known for his translation of some of Camões’ finest lyrical poems, first published in 1803 as *Poems from the Portuguese of Camoëns, with Remarks and Notes*.

26. D. Domingos António de Sousa Coutinho (1760-1833), 1st Conde and Marquês do Funchal, Portuguese diplomatist, the son of D. Francisco Inocêncio de Sousa Coutinho (1726-80), Governor of Angola 1764-72, and his wife, D. Ana Luísa Joaquina da Silva Teixeira de Andrade Barbosa. The Sousa Coutinhos descended from Vasco Fernandes Coutinho (c.1385-1450), 1st Conde de Marialva, a title granted by the Regent D. Pedro probably in 1441. Coutinho was appointed Minister to Copenhagen in 1788 and replaced his brother, Rodrigo, at Turin in 1796. On 13 May 1803, Coutinho was appointed Minister Plenipotentiary to London, remaining there until 1814, when he was replaced by the Conde de Palmela. He was created Conde do Funchal on 17 Dec. 1808 and Marquês do Funchal on 9 Apr. 1833. Coutinho returned to Britain as D. Pedro’s Plenipotentiary on 24 Feb. 1832 and died unmarried on 1 Dec. 1833, aged 73, in a hotel room in Brighton arranged for him by Lord Holland.

more than detestable in its principles and more dangerous in its excesses." (*Ibidem* 255) He insists that any increase in the number of slaves will harm the spirit of the country and Brazil's reputation as a rising state. Steps must be taken to discourage the trade – through preachers, through the press and commercial disincentives. Holland warns starkly that if nothing is done, "the House of Braganza will not be transported to a rising empire, to a new Portugal, but rather to the horrors of St Dominic, to the slaughter of Cap Français." (*Ibidem*)



"Nègres à Fonde de Cale" ("Negros in the cellar of a slave boat"), 1835 / Johann Moritz Rugendas, L. Deroy. – Acervo Banco Itaú (Museu Itaú Cultural, São Paulo, Brazil)

Yet despite the rhetoric, Holland's recommendations are modest. He acknowledges that it may be difficult to ban the trade outright and, for reasons explained elsewhere in the memorandum, he is anxious not to upset the owners of large estates. They are opposed to abolition and it would be unwise to inflict heavy financial losses upon them. The best course would be to ban the import and export of slaves and then indemnify the merchants involved by granting them a monopoly



on the internal trade, excluding all foreigners, especially the English. Various steps could be taken to decrease the evils of slavery, including improving the slaves' conditions and promoting forms of agriculture that "require fewer slaves and more horses." (*Ibidem* 256) Holland's stress on 'choosing the right moment' once more reveals the pragmatic side to his character:

(...) you should remember that while this traffic continues, it will be impossible to improve the social order or to make their customs closer to those of the Europeans, which is what can guarantee the tranquillity of the state, the happiness and civilisation of the people. It is thus necessary to look forward and choose the right moment for breaking the whole pact with evil; but if you will not dare to move directly towards this end, all your steps must at least move in this direction. (*Ibidem*)

Unfortunately, as Soriano noted, although some of Holland's suggestions were contemplated by the Portuguese Ministers, "they only adopted the worst that it contained" and this did not include the interdiction of slave trade, which continued flourishing throughout the following decades. (Soriano, note to Holland's "Carta ou memoria" 256)

The French invasion of Portugal in 1807 and subsequent reliance upon Britain for the recovery of her independence, gave the Portuguese Government little room for manoeuvre. Between 1808 and 1820, when British forces left following the Liberal revolution (24 Aug. 1820), Portugal was virtually a British protectorate and thus unable to refuse any requests from Britain. On 17 April 1808, Canning instructed Lord Strangford, who had accompanied the Portuguese Royal Family to Rio de Janeiro in November 1807, to urge the Prince Regent to adhere to the abolition system or, at least, to prevent Portuguese traders from furnishing slaves to other nations and to include the issue in "any Treaty which shall contain the final arrangements of the relations of the two countries." ("Copy of a Dispatch from Mr. Secretary Canning" 630) In contrast to his earlier blunt response, Araújo now gave reluctant consent to the British demands.

Accordingly, an Anglo-Portuguese treaty of alliance and friendship was signed at Rio de Janeiro on 19 February 1810 between Rodrigo de Sousa Coutinho and Lord Strangford.<sup>27</sup> Under Article X, the Prince Regent agreed “to cooperate with His Britannic Majesty in the cause of humanity and justice, by adopting the most efficacious means for bringing about a gradual abolition of the slave trade throughout the whole of His dominions.” (“Tratado de Aliança e Amizade” 407, 409) The Article also stated that Portuguese subjects were not

(...) permitted to carry on the slave trade on any part of the Coast of Africa, not actually belonging to His Royal Highness's dominions (...) reserving however to His own subjects the right of purchasing and trading in slaves within the African dominions of the Crown of Portugal. (*Ibidem*)

Technically, this last clause gave Portuguese slave traders a licence to continue their activities in their own dominions.

As Chancellor observes, Holland “(...) had corresponded with Wilberforce and his leading supporters since 1808, chiefly on the practicalities of inducing Spain, Portugal and France to follow the British example in abolishing the traffic in slaves in their empires”. (265) On 12 March 1810, less than one month after the conclusion of the Anglo-Portuguese Treaty, Holland urged the House of Lords to ascertain what steps had been taken by the British government to

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27. D. Rodrigo de Sousa Coutinho Teixeira de Andrade Barbosa (1755-1812), 1st Conde de Linhares, eldest son of D. Francisco Inocêncio de Sousa Coutinho (1726-80), Governor of Angola (1764-72), and his wife D. Ana Luísa Joaquina da Silva Teixeira de Andrade Barbosa, brother of Domingos de Sousa Coutinho. Despite being a godson of Pombal – or perhaps because of it – Rodrigo Coutinho was appointed Minister Plenipotentiary to the Kingdom of Sardinia in 1778, aged only 23. Coutinho was recalled to Lisbon in 1796 to take the Ministry of Marine and Overseas Affairs. Coutinho gained the confidence of the Prince Regent, who entrusted him with the Royal Treasury from 6 Jan. 1801, in succession to the Marquês de Ponte de Lima (died 23 Nov. 1800). He remained in Office until 31 Aug. 1803, when the Prince Regent was forced to accept Lannes's (the French Minister at Lisbon's) demands for the removal of several ministers and advisors thought to be pro-British, including João de Almeida de Melo e Castro (1756-1814), 5th Conde das Galveias, Secretary of State (Chief Minister) and Sousa Coutinho. They were replaced by Luís Pinto de Sousa Coutinho (1735-1804), Visconde de Balsemão, and Luís de Vasconcelos e Sousa, who were more compliant to France. Coutinho accompanied the Royal Family to Brazil in November 1807 and was appointed Foreign Minister in March 1808 and created Conde de Linhares on 17 Dec. Rodrigo and his brother Domingos de Sousa Coutinho were the main promoters of the Anglo-Portuguese Treaty of Alliance and Friendship, concluded in Rio de Janeiro on 19 Feb. 1810, and ratified by Portugal on 26 of that month and by Britain on 18 June. Linhares died at Rio de Janeiro on 26 Jan. 1812.

bring other nations into the slave trade abolition system. (Holland, motion on the "Slave Trade" 11-12) This was followed by a second motion on 18 June, to extend to other countries the abolition of the African slave trade "which had been so happily effected here [in Britain]." (Holland, motion on the "African Slave Trade" 748) Holland's motion was aimed at countries like Spain and Portugal where "enough had not been done." (*Ibidem*) Holland believed "that if once all the powers of Europe had agreed upon the abolition of this abominable trade, that no state would afterwards venture again to establish it, as no individual could be found base and degraded enough to propose it." (*Ibidem* 749) In October 1812, Holland told Andrés de la Vega (1768-1813), then one of the Spanish deputies to the *Cortes* of Cadiz, "let Spain and Portugal concur with us, and there is an end of this disgraceful and revolting trade for ever. Africa will then open to civilization, and the state of society in the West Indies susceptible of improvement." (BL, Holland House Papers, MSS Add. 51626, Holland to Andres de la Vega, ff. 68<sup>v</sup>-69<sup>r</sup> (12 Oct. 1812), *apud* Mitchell, 93)

For Holland, Portugal represented a greater problem than Spain, because in the first case "the trade was carried on from one Portuguese port in Africa to another Portuguese port in the Brazils." (Holland, motion on the "African Slave Trade" 748) To overcome the problem, the British Government had proposed to purchase "the Portuguese territory in Africa, which would have placed the subject upon a totally different footing." (*Ibidem*) Although Holland welcomed the idea of purchase, it must have alarmed the Portuguese authorities who were unwilling to surrender more of their Empire to Britain. But the most controversial feature of Holland's motion – one responsible for much of the later friction between Britain and Portugal – was the proposal that nations should "authorize the treating all those persons as pirates who persisted, in defiance of all reason, justice, and humanity, in trading in human flesh." (*Ibidem* 749)

On 6 December 1813, more than three and a half years after his motion had been accepted by the House of Lords, Holland regretted

“that so little progress had been made in the attempt to prevent the practice of carrying on the slave trade under foreign flags.” (Holland, address on the “Slave Trade” 243) Holland considered Castlereagh’s initial efforts in the various discussions at the end of the Napoleonic wars far from satisfactory; the Foreign Secretary had lost an opportunity to force others nations, such as Louis XVIII’s France, into “agreeing that they would neither commence nor revive a commerce, confessedly founded in barbarity and injustice.” (Holland, speech on Grenville’s “Motion for an Address Respecting the Slave Trade” 350) On 27 June 1814, in a speech to the House of Lords on Grenville’s “Motion for an Address Respecting the Slave Trade” Holland criticized Castlereagh’s apparent complacency in failing to get clearer French commitments. (*Ibidem* 347-50) But things were not much better internally and the Whigs failed to obtain the necessary support to pass Grenville’s motion. In a letter to John Allen, Holland complained: “Wilberforce is trimming and shabby in the extreme, but many good men and all neutral men go with him.” (Holland to John Allen, *apud* Ilchester, *The Home of the Hollands* 221) As a result, Holland and other leading Whigs entered a dissent to the *Journals* of the House of Lords protesting against the Anglo-French treaty signed at Paris on 30 May, which had “revived and continued, [the slave trade] in the Colonies which we have surrendered to France, for the term of five years.” (“Dissent” 81-2) By the mid-summer of 1814, however, prospects had improved. While at Paris,<sup>28</sup> Holland wrote to John Wishaw that “the question of the Slave Trade in a much fairer way for satisfactory adjustment that he had supposed. (...) He is quite clear that the repeal of the Slave Trade may be obtained if our Ministers are really in earnest.” (Holland *apud* Wishaw 62)

Perhaps because of Holland’s endeavours, negotiations reopened during the Congress of Vienna, leading to the conclusion of an Anglo-Portuguese treaty on the slave trade. According to the treaty,

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28. The Hollands left for Paris on 30 July 1814, where they remained for one year, returning to Holland House on 6 Aug. 1815. (BL, HHP, MSS Add. 51952, Dinner Books: 1813–19, ff. 55<sup>v</sup>-55<sup>r</sup>)

signed on 22 January 1815 between Castlereagh and Palmela,<sup>29</sup> the Prince Regent of Portugal agreed “to co-operate with His Britannic Majesty efficacious means for bringing about a gradual Abolition of the Slave-trade” and to effectuate “an immediate Abolition of the said Traffic upon the parts of the Coast of Africa which are situated to the Northward of the Line.” (“Treaty between Great Britain and Portugal” 349-50) According to Article IV, “The High Contracting Parties reserve to themselves, and engage to determine by a Separate Treaty, the period at which the Trade of Slaves shall universally cease, and be prohibited throughout the entire Dominions of Portugal.” (*Ibidem* 353) In return for Portuguese good will and cooperation, Britain agreed to remit the “payments as may then remain due and payable upon the Loan of £600,000, made in London for the service of Portugal, in the year 1809.” (*Ibidem*) And by a secret clause, Britain also agreed to compensate Portugal for all Portuguese slave vessels detained by mistake by the British Navy after 1 June 1814. (Bandinel 152)

An additional clause to the 1815 treaty, signed in London on 28 July 1817 also between Palmela and Castlereagh, introduced an instrument of mutual control to “prevent their respective subjects from carrying on an illicit slave trade.” (“Convenção adicional ao tratado de 22 de Janeiro 1815” 327) Portuguese traders were, however, allowed to continue trafficking slaves on the East Coast of Africa,

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29. D. Pedro de Sousa e Holstein (1781-1850), conti di Sanfré in the Piedmontese peerage, 1st Conde, Marquês and Duque de Palmela, Portuguese diplomat and statesman, was the only son of D. Alessandro de Sousa e Holstein (1751-1803), also a diplomat, and his first wife, D. Isabel Juliana Sousa Coutinho Monteiro Paim (1753-93). Pedro was born in Sanfré, Piedmont, on 8 May 1781. His grandfather was D. Manuel de Sousa (1703-59), Lord of Calhariz, who was persecuted by Pombal and died in prison. His grandmother was Maria Anna Leopoldine (1717-1789), Princess von Schleswig-Holstein-Sonderburg-Beck, daughter of Friedrich Ludwig von Holstein-Sonderburg-Beck (1653-1728), Herzog (Duke) von Schleswig-Holstein-Sonderburg-Beck, and his wife Maria Antonia Isnardi di Castello (1692-1762), contessa di Sanfré. On 4 June 1810, Pedro married D. Eugénia Francisca Xavier Teles da Gama (1798-1848), a descendant of Vasco da Gama, who bore him several children. Palmela was undoubtedly one of Holland’s closest Portuguese friends, even if relations cooled after 1834 when he took office in the Portuguese government. It was largely through him that Holland derived his knowledge of Portugal, in turn the basis of his growing affection for that country. Palmela and his family became frequent guests at Holland House: between 21 Mar. 1813, the date of his first reported appearance at Kensington, and 1 July 1838, when he was in Britain to attend Queen Victoria’s Coronation, Palmela’s name appears 49 times in the Dinner Books and *Holland House Diaries*, while his relations – his wife, two sons, Alexandre de Sousa e Holstein (1812–1832), 1st Conde do Calhariz, and Domingos de Sousa e Holstein (1818–1864), 2nd Conde do Calhariz, 1st Marquês do Faial and 2nd Duque de Palmela, and a Miss Sousa, probably one of his sisters – are mentioned 15 times.

between Cape Delgado and the Bay of Lourenço Marques, and on the West Coast between 8° and 18° south, and from the 5° 12" to 8° south. (*Ibidem* 329) This treaty also allowed ships flying the Portuguese flag to import slaves from Africa to Brazil, provided they carried a royal passport written in English and Portuguese according to a pre-established model. (*Ibidem* 329, 331) Perhaps the most important clause – whose consequences were to be felt many years later – was the introduction of a right to mutually inspect “such merchant vessels of the two Nations, as may be suspected, upon reasonable grounds, of having slaves on board acquired by an illicit traffic”. If the suspicions were confirmed, the offenders “may be brought to trial before the tribunals established for this purpose, as shall hereinafter be specified.” (*Ibidem* 331) Despite the repeated reference to both parties, this clause was obviously designed to allow Britain to supervise Portuguese shipping. The provision that Portuguese warships might stop British merchant ships was purely theoretical.

It was not until the 1830's, when Palmerston was at the Foreign Office, that Britain systematically applied – sometimes abusively – the “stop and search” clause in response to the increasing numbers of African slaves taken to Brazil aboard overcrowded ships flying the Portuguese flag. Anticipating the complete abolition of the slave trade after the conclusion of an Anglo-Brazilian treaty in 1826, traders decided to “stock up” on slaves before it was too late, leading to a drastic increase of the traffic. (Alexandre 295) Unlike Britain, where a bill had been introduced on 21 July 1806 to prevent traders from taking more slaves before the total abolition of the traffic, neither the Brazilian nor the Portuguese authorities had shown the least concern.<sup>30</sup> According to this treaty, signed at Rio de Janeiro on 23 November 1826 and operative from 13 March 1830 – i.e. three years after its ratification – the traffic in slaves was not only illegal for Brazilians but was also to be treated as an act of piracy. (“Convenção

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30. According to this Bill, passed in the British Parliament on 21 June 1806, vessels were not allowed to load with slaves from 1 Aug. 1806 unless it had been previously employed by the same owners in the trade or if it could be proved that it had been already contracted for this purpose prior to 10 June 1806. (“Slave Ship Restriction Bill”, 1143-5; see also Clarkson 2, 563; Bandinel 119)

entre o Senhor D. Pedro I" 391) To overcome this provision, slave traders made over their ships to a Portuguese national when they reached the coast of Africa and, once the slaves had been acquired, the vessels could sail to Brazil or Cuba under nominal Portuguese ownership. Of course the "flagging" scheme would not have been possible without the connivance of the Brazilian authorities and the complicity of the Portuguese colonial administrators, who were responsible for supplying the necessary documents. (Alexandre 296-8; see also Bethell 97) Here it must be noted that it was not the Portuguese Government, but rather Brazilian traders, who were responsible for systematic evasion; nor did the Portuguese have the resources to prevent such evasion. Yet it was Portugal that the British authorities now accused of prevaricating. (Alexandre 301)

Thus Palmerston decided that existing Anglo-Portuguese treaties on the slave trade must be revised in a way that would force Portugal to make a clearer commitment to its eradication. On 13 February 1832, Palmerston instructed Richard Hoppner, British Agent at Lisbon, to urge the Portuguese Government "to issue a declaration announcing the final and total abolition of the Portuguese Slave Trade, and their determination to suppress it, according to the terms of the additional Article to the Treaty of 1817." ("Viscount Palmerston to Mr. Hoppner" 11)<sup>31</sup> Despite several interviews with the Visconde de Santarém, Miguel's Foreign Minister, Hoppner only secured a vague promise that Santarém would put the question to his colleagues.<sup>32</sup> Meanwhile, the outbreak of a civil war between Liberals and Absolutists made further negotiations impossible until the war ended on 26 May 1834 following the armistice of Evoramonte. The victory of the Portuguese Liberals, who owed much to British support, meant that Portugal was again financially dependent on Britain and

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31. Richard Belgrave Hoppner (1786-1872), second son of the English portraitist John Hoppner and Phoebe Wright, daughter of the American sculptor Patience Lovell Wright. Richard's younger brother was Captain Henry Parkyns Hoppner (1795-1833), who died in Lisbon on 22 Dec. 1833 during a tour of Southern Europe.

32. D. Miguel Maria do Patrocínio João Carlos Francisco de Assis Xavier de Paula Pedro de Alcântara António Rafael Gabriel Joaquim José Gonzaga Evaristo de Bragança e Bourbon (1802-66), the youngest son of D. João VI and D. Carlota Joaquina. He ruled Portugal as D. Miguel I from 11 July 1828 to 26 May 1834.

thus more easily pressurised on the slave trade. The political instability that followed the establishment of the Liberal regime and the premature death of D. Pedro IV on 24 September 1834, further weakened the Portuguese position.<sup>33</sup>

Following the reestablishment of constitutionalism and the accession of Maria II on 20 September 1834, Palmela was made responsible for negotiations on the slave trade.<sup>34</sup> Palmela had been appointed head of a Cabinet that lasted until 4 May 1835, when he was replaced by Vitório de Sousa Coutinho, second Conde de Linhares.<sup>35</sup> A few days later, on 27 May, however, Palmela became Foreign Minister in a Government led by the Marquês de Saldanha,<sup>36</sup> which survived until 18 November 1835. (Carvalho 3, 60-2) Even after leaving office, Palmela continued to lead negotiations with the British but now as a Plenipotentiary. Unlike his predecessors, whose manifest reluctance to abolish the slave trade had been often criticised by the British, Palmela realised that its end was inevitable and hence decided to try

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33. D. Pedro de Alcântara Francisco António João Carlos Xavier de Paula Miguel Rafael Joaquim José Gonzaga Pascoal Cipriano Serafim de Bragança e Borbón (1798-1834), the eldest surviving son of D. João VI and D. Carlota Joaquina. He ruled as D. Pedro I of Brazil (1822-31) and D. Pedro IV of Portugal (1826), later adopting the title of Duque de Bragança (1831-34).
  34. D. Maria da Glória Joana Carlota Leopoldina da Cruz Francisca Xavier de Paula Isidora Micaela Gabriela Rafaela Gonzaga (1819-53), the eldest daughter of D. Pedro I of Brazil and IV of Portugal, by his first wife Maria Leopoldina, Archduchess of Austria, a daughter of Francis II. She ruled Portugal as D. Maria II from 26 May 1834 to 15 Nov. 1853.
  35. Victório Maria Francisco de Sousa Coutinho Teixeira de Andrada de Barbosa (1790-1857), 2nd Conde de Linhares, Portuguese diplomat and statesman. On 16 Feb. 1835, he was appointed Minister of Naval and Overseas Affairs in the Cabinet of his brother-in-law Palmela – who he replaced as acting Chief Minister on 28 Apr. 1835. He married on 4 Sept. 1820 Catarina Juliana de Sousa e Holstein (b. 1790), a sister of Palmela.
  36. D. João Carlos Gregório Domingos Vicente Francisco de Saldanha Oliveira e Daun (1790-1876), 1st Conde, Marquês and Duque de Saldanha, Portuguese army officer, diplomat, politician and statesman. Son of D. João Vicente de Saldanha Oliveira e Sousa Juzarte Figueira (1746–1804), 1st Conde de Rio Maior, and his wife, D. Maria Amália de Carvalho Daun (1756-1812), daughter of the Marquês de Pombal by his second wife, Eleanore Ernestine, Gräfin von Daun. Saldanha married twice: 1st, on 5 Oct. 1814, D. Maria Theresa Horan FitzGerald (1796-1835), daughter of Thomas Horan, Esq., an Irish resident in Lisbon, and his wife Isabella FitzGerald; 2nd, in 1856, Charlotte Elisabeth Mary Smith-Athelstane (b. 1808), daughter of Michael Athelstane-Smith (1762-1831) and his wife, Sarah Walton (1767-1849); her brother was John Smith-Athelstane (1813–86), 1st Conde da Carnota in the Portuguese nobility. Although Saldanha was hardly a Radical, his penchant for the melodramatic – probably more a reflection of his flamboyant and egocentric personality than of any particular political inclination – led many people to think of him as a progressive. In the course of his long and active life, Saldanha was implicated in several coups; the last, known as *Saldanhada*, took place in 1870, when he was already eighty years old. Following the failure of this last attempt to interfere in politics, King D. Luís sent Saldanha to London as a Minister to get rid of him. He remained there until his death in 1876 aged eighty-six.



to secure the best possible terms. Palmela had no doubt that his strategy was right, later describing his time as a negotiator as “perhaps one of the periods in my life in which I had the fortune to pay the greatest service to the Country.” (Palmela, *Memórias* 302) During his years in London between 1813 and 1820, Palmela would have realised the strength of the abolitionist movement and may well have discussed it when visiting Holland House.<sup>37</sup>

But despite Palmela’s willingness to reach a settlement, the political situation in Portugal made progress difficult. The country was just emerging from civil war and facing growing financial problems and so it is hardly surprising that abolition of the slave trade was not seen as a high priority. Lord Howard de Walden, British Minister in Lisbon,<sup>38</sup> had to wait nine months before the Portuguese authorities agreed to discuss the issue. (Bandinel 217) Several rounds of negotiations held between 1835 and 1836 produced no tangible results and Howard de Walden began to complain of Portuguese reluctance to cooperate.<sup>39</sup> Palmela himself went as far as to work on a project for a treaty that would lead to the total abolition of the slave trade in all Portuguese dominions, but this was frustrated by cabinet changes. In the end, all that the British Minister could obtain from Palmela was a circular to all Portuguese consulates, dated 22 October 1835, with instructions for the strict observance of existing anti-slavery legislation and for the application of any measures necessary to enforce it.

37. Palmela had made his *début* at Holland House on 21 Mar. 1813, accompanied by Funchal, little more than two months after his arrival in London to take the Portuguese Legation. (BL, HHP, MSS Dinner Books, 1813-19 Add. 51952, f. 9<sup>v</sup>)

38. Charles Augustus Ellis (1799-1868), 6th Baron Howard de Walden, British diplomat, Extraordinary Minister Plenipotentiary to Lisbon from 1833 to 1846. Howard de Walden was appointed on 26 Nov. 1833 and arrived in the Portuguese capital on 14 Feb. 1834. He was absent on leave between 23 May to 17 Nov. 1838 and again on 12 Oct. 1846, when, on the pretext of taking leave, he embarked on the *Cyclops* never to return to Portugal. As Holland remarked in his diary, Lord Howard de Walden had been named to Lisbon without his knowledge. One of the reasons for Russell’s replacement was the gossip that Lady Russell was having an affair with Antonio López Córdoba, the Spanish Chargé d’Affaires in Lisbon, and was protecting the Absolutist Marquês de Olhão. (Holland, *The Holland House Diaries* 242, 249; Webster 1, 385)

39. Howard de Walden’s mistrust of Palmela – though understandable considering the behaviour of his predecessors – was, however, unfair. As Palmela admitted in his own memoirs, negotiations with England for the conclusion of a treaty on the abolition of the slave trade, was “perhaps one of the periods in my life in which I had the fortune to pay the greatest service to the Country.” (Palmela, *Memórias* 310) Unfortunately, his commitment to the cause led his critics to accuse him of being a British agent. (See Webster 1, 480; Bethell 103 et. seq; Bandinel 217; Alexandre 300, 307)

A new round of negotiations began in the summer 1836 but was again interrupted following the coup d'état of 9 September 1836, leading not only to a change of ministers but also to the establishment of *Setembrismo*, a progressive regime that lasted until 1842. The accession of Sá da Bandeira to the cabinet on 10 September – first as Foreign Minister and then, from 5 November 1836, as President of the Council of Ministers – brought a new sense of urgency to the slave trade question.<sup>40</sup> On 19 February 1836, while Secretary of State for the Navy and Overseas Territories, Sá da Bandeira had submitted a report to the Chamber of Deputies arguing that investment in the colonies would be useless unless the slave trade was abolished – because capital would continue to be redirected to the latter rather than to the former. A few days later, on 26 March, Sá da Bandeira submitted a bill to the Chamber of Peers for the abolition of slave trade in all Portuguese dominions and for the introduction of heavy penalties for those breaking this law, either directly or indirectly. But Sá da Bandeira's bill was opposed by Peers who said they feared disturbances in the colonies. The proposal was referred to a commission which never got round to reporting on it. (*Diario do Governo* 101 (26 Mar. 1836): 561)

After the establishment of the *Setembrista* regime and the dissolution of Parliament, a few months elapsed before the convocation of a new legislature.<sup>41</sup> On 10 December 1836, taking advantage of this virtual dictatorship, Sá da Bandeira passed a law abolishing the slave trade in all Portuguese dominions. ("Decreto de 10 de Dezembro de 1836" 460-66) This was followed by another, passed on 16 January 1837, restricting the use of the Portuguese flag. It has been argued that Sá da Bandeira's legislation was not serious and Palmerston described it as "mere mockery". ("Viscount Palmerston to Lord Howard de Walden" 32) But, if not entirely without foundation, this view seems exaggerated and unfair. It seems clear that, while taking

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40. Like Palmela, Sá da Bandeira had lived in England for some time – first as a student in 1825-6 and then as an exile in 1828-9 during Miguel's usurpation. It is likely that it was while he was in Britain that Sá da Bandeira encountered abolitionist movements, to whose principles he adhered and later tried to introduce in Portugal.

41. The *Cortes Constituintes* summoned for the first time on 18 Jan. 1837.

the initiative in the negotiations, Sá da Bandeira's was trying to anticipate the next British move. His commitment to the abolition of the slave trade can be demonstrated by his political initiatives and was even acknowledged by Howard de Walden, who admitted that "the Decree of the 10th December has already produced beneficial effects," ("Lord Howard de Walden to Viscount Palmerston" 31) and by Mr Jerningham,<sup>42</sup> the British Chargé d'Affaires at Lisbon, in several of his dispatches to Palmerston.<sup>43</sup>

But taking the lead in negotiations, as Sá da Bandeira intended, implied that Portugal had sufficient determination and resources to eradicate or at least drastically reduce the slave trade in her African territories. Thus, Sá da Bandeira had to stop the "flagging" scheme, which meant taking on Portuguese and foreign slave traders and curbing corruption among colonial administrators.<sup>44</sup> Whatever their author's good intentions, Sá da Bandeira's laws proved ineffective, so much so that they could not even prevent a significant expansion of the slave trade. Hence, Palmerston concluded that the only way to ensure serious Portuguese cooperation in the abolition of the slave trade would be to apply a degree of coercion. (Bethell 105) On 28 April 1838, Palmerston instructed Howard de Walden to "obtain from the Portuguese Government a distinct and formal declaration, whether they will, or not, conclude that Treaty." ("Viscount Palmerston to Lord Howard de Walden" 34) Although Portugal did not necessarily object to the conclusion of a new Anglo-Portuguese treaty, Sá da Bandeira had his own agenda and problems.

The following months were marked by a series of advances and setbacks, with several proposals and counter-proposals from each

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42. George Sulyarde Stafford Jerningham, Secretary of the British Legation at Lisbon (1837-9) and Chargé d'Affaires (1838). During Howard de Walden's absence, from 23 May to 17 Nov. 1838, Jerningham was employed in the negotiations with the Portuguese Government of a slave trade treaty, to which he was given full power on 7 June 1838.

43. In his dispatch of 20 Sept. 1838, for example, Jerningham admitted: "I must do Viscount de Sá the justice to say, that in the course of our conversation he warmly expressed his anxiety to see the Slave Trade abolished." ("Mr. Jerningham to Viscount Palmerston" 309)

44. It was the case of the Governor of Mozambique, João Carlos Augusto de Oyenhausen-Gravenburg (1776-1838), 1st and only Visconde and Marquês de Aracati, who refused to accept the 1836 law for the abolition of the slave trade, forcing Sá da Bandeira to compel its adoption. (See Portugal. Governo, Moçambique, "Circular do Marquês de Aracati" 68-70; also Miguel 423; Inglis 4333)

party – accompanied with quasi *ultimata* from Britain followed by the usual procrastinations and promises of cooperation from Portugal. While Palmerston wanted to introduce principles like “piracy” when dealing with slave traders and “perpetuity” of treaties, Sá da Bandeira insisted that the right of mutual inspection should be restricted to vessels of war expressly authorised for that purpose and confined to within 100 miles from the Portuguese Western and Eastern African coasts, Madagascar, Cuba, Puerto Rico and the South American coasts. (“Contra-projecto de Tratado” 56-8; “Tratado convencionado” 103) But the more sensitive object of the negotiations, as Sá da Bandeira acknowledged in a dispatch of 6 October 1838, concerned “the guarantee which the undersigned required Great Britain should give Portugal, for maintaining her African dominions in due obedience for all the time the Treaty was to last.” (“Viscount de Sá da Bandeira to Mr. Jerningham” 311) In the same dispatch, Sá da Bandeira officially communicated to the British authorities Portugal’s refusal to accept terms he considered “repugnant to the liberty of the Portuguese nation, and to the independence of Her Majesty’s Crown.” (*Ibidem* 19)

After seven years of fruitless negotiation Palmerston decided that the time for diplomacy was over and that action must be taken. On 10 July 1839, Palmerston and Lord John Russell introduced a bill “for the more effectual Suppression of the Portuguese Slave Trade.” (“[Palmerston Bill]” 3793, 3813) The bill, passed by the House of Commons on 25 July and by the Lords on 15 August, gave the British authorities “the power to seize, without the sanction of the Portuguese Government, all ships of that nation, which may be encountered, while engaged in the slave trade, in any part of the world.” (Inglis 4332) If the Portuguese authorities resisted, Britain would declare war – admittedly a purely theoretical scenario. A protest from the Portuguese Government – sent to the British Foreign Secretary on 1 August 1839 through Morais Sarmiento,<sup>45</sup> Portuguese Minister in London – made little impression on Palmerston. (“Nota do Barão

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45. Cristóvão Pedro de Morais Sarmiento (1788-1851), 1st Barão da Torre de Moncorvo, Portuguese diplomat, son of Tomás Inácio de Morais Sarmiento (b. 1750) and brother of Alexandre de Morais Sarmiento (1786-1840), also a diplomat.

da Torre de Moncorvo" 378-85) In 1840, and no longer a Minister, Sá da Bandeira published a well-argued and fully documented tract denouncing what he considered an "act of usurpation on the part of the British Government of the sovereign rights of a nation independent of the Crown of Great Britain." (Sá da Bandeira, *The Slave Trade* [3])<sup>46</sup>

Following a conservative *coup d'état* on 27 January 1842 and the accession of Costa Cabral<sup>47</sup> to the Premiership, negotiations for an Anglo-Portuguese Treaty were resumed under Palmela. Finally, on 3 July 1842, a convention abolishing the slave trade "in every part of their respective Dominions" was signed at Lisbon between Palmela and Howard de Walden. ("Tratado celebrado entre a Rainha a Senhora Dona Maria II e Victoria I Rainha da Gran-Bretanha" 377) Although no reference was made to Portugal's African dominions, as Sá da Bandeira had wished, Palmela admitted in his memoirs that "The treaty of 1842 was, if I am not mistaken, the most advantageous and, at least, certainly the most decent between Portugal and England that our diplomatic history recalls." (Palmela, *Memórias* 347) As a result, Britain revoked Palmerston's act of 1839 "for the more effectual Suppression of the Portuguese Slave Trade", through an Act of the Parliament of 12 August. ("Cap. CXIV" 779) A few days later, on 25 August, Portugal issued a Decree declaring the slave trade an act of piracy if committed in the dominions under the jurisdiction of the Portuguese Crown, which put an end to the conflict. ("Decreto, 25 Jul. 1842" 630)

As explained earlier, Lord Holland was most active in the introduction and enforcement of the global abolition system between 1806 and 1814. His sole intervention during the dispute between Portugal and Britain in 1839 – to which he contributed – was to ask for "a little good humour on the part of one House [of Lords]" when on a Friday evening (26 July) – when peers would have been anxious to get

46. The tract was also published in Portuguese as *O Trafico da Escravatura, e o Bill de Lord Palmerston pelo Visconde de Sá da Bandeira, Ex-Secretario d'Estado dos Negocios Estrangeiros* (Lisboa: Na Typ. de José Baptista Morando, 1840).

47. António Bernardo da Costa Cabral (1803-1889), 1st Conde and Marquês de Tomar, Portuguese conservative politician, twice President of the Council of Ministers (PM) and Grandmaster of the *Grande Oriente Lusitano* (Portuguese Freemasonry).

away – Brougham had expressed impatience at having to wait so long for Palmerston's bill to arrive from the Commons. As Holland also noted, "I am a much older Member of the House than the Noble and Learned Lord, and I can recollect very important bills being brought up at a much later hour." (Holland, speech on the "Portuguese Slave Trade Bill" 4363) The reason why Holland apparently lost interest in the slave trade question after 1814 is unclear, and the consequences of his earlier actions in the imposition of the global abolition system, though enormous, are obviously difficult to quantify. In the long term, however, Holland's role in imposing the abolition system on other nations certainly contributed to force Portugal to adhere to scheme and, by doing so, he may have helped to spare many lives.

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