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Excerpt

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PART I  
OVERVIEW

## CHAPTER 1

## INTRODUCTION

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AND DAVID RICHARDSON\*

From the long-run perspective concerning the global history of coerced labor, the more than two centuries covered by this final volume of *The Cambridge World History of Slavery* witnessed both the rapid growth of the more extreme forms of chattel slavery – particularly in the Americas – and their even more rapid decline everywhere. The period from the 1783 establishment of the Quaker Meeting for Sufferings to establish a sub-committee on the slave trade, through to the League of Nations' Convention to Suppress the Slave Trade and Slavery in 1926 saw the formal proscription of all labor practices designed to extract involuntary labor. Efforts to make these proscriptions effective began in 1808 but, given that forms of involuntary labor continue to the present day, it is clear that such efforts have not been completely effective. The best we can say is that the incidence of coercive labor practices is lower today than ever before in relative terms and possibly even in absolute terms.

The present volume spans the timing of the independence of Haiti in 1804 to the present day, but any discussion of involuntary labor in this era must be set within a framework of an even broader set of global socio-economic trends. Not only was slavery made illegal, but the major form of coerced labor in Continental Europe, serfdom, was finally eliminated via government decrees by 1864, most dramatically in France in 1789 and in Russia in 1861. These past two centuries have brought dramatic change in both the magnitude of the world's populations and the terms under which that population has labored. Life expectancy, nutritional trends (as measured by stature and household consumption), female control over reproductive rights, access to education, and economic opportunities have all risen dramatically, as have levels of education achieved by most people. By contrast, the incidence of famines, the proportion of people living in poverty (however defined), and the ratio of violent deaths to total deaths have declined precipitously. The causes and implications of these revolutionary patterns in the human experience have yet to be fully understood. Collectively, they mean a vast increase in the supply of labor, especially

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skilled, and an equally vast improvement in the quality of the longer life which humans now experience compared to earlier centuries. Global populations have increased sevenfold since 1800 and with the expanding opportunities for females, longer productive lives for both men and women, and better nutrition, the share of this larger number of global inhabitants (currently 7 billion) prepared to work, as well as the labor effort that they can generate, is also larger than ever before. Therefore, human beings today are far more productive than were their forebears in 1800.

An associated pattern is the decline in the share of locally produced goods that global populations consume and the weakening of the family, not only as the center of production, but also as center of decision-making both for the consumption of goods and the allocation of resources, including labor. Perhaps the key global-wide shift in social relations that has occurred in the last two centuries is the gradual breakdown of traditional social ties and obligations between individuals, and the appearance of conditions where free labor in the modern sense could emerge. Nevertheless, probably a great majority of the world's peoples lived through at least the nineteenth century without any change in the terms of labor governing their work. Rural South and East Asia, indigenous Latin America, and nomadic peoples generally, produced little for world markets and consumed a small share of global exports prior to the onset of our period. Any understanding of the causes of these changes in the categories of dependency in most societies, particularly changes in personal status over time, remain largely beyond the understanding of the scholar. Slavery and other forms of exploitation certainly continued to exist, but after 1888, there remained no slave societies at least as defined by Moses Finley. Our volume is necessarily preoccupied with the changes in the way people worked in response to the dramatic trends described above. In addition to the massive population increases, the global movement of peoples and merchandise has never been greater. Coercive labor practices, acceptable and widely practiced two centuries ago, are now universally and officially condemned, though, as catalogued in this volume, they have not completely disappeared. Notwithstanding the horrors of the twentieth century such as those in Soviet Russia and other Communist nations and in Nazi Germany, it is not easy to anticipate anything that might interfere with, or reverse, the global march of possessive individualism, or the shift from familial dependence to the legal autonomy of the individual. The pace of change has varied widely, and, of course, there remain areas where the protection of individual rights and liberties is partial and fragile.

The trends that began to emerge after 1800 were unimaginable to even the most insightful and socially aware of contemporaries. The dystopian vision of writers as diverse as Arthur Young, Adam Smith, and Karl Marx was widely held. One of the major tropes of late enlightenment discourse was that about 90 percent of the world's peoples, almost all living outside Western Europe

and its American offshoots, lived in a state of dependency. As late as the 1850s many writers in the US South and elsewhere frequently pointed out that free labor was confined to only a small part of the populated globe. Marx and many others saw slavery as typically characterizing one of the stages (there were usually four of them) through which societies evolved on their way from hunter-gathering to modernity. Jefferson and Lincoln, among others, saw slavery lasting for many years beyond 1800, and increasing numbers of contemporary writers agreed with them. Following the lead of Kevin Bales' 1999 book, estimates from UN agencies and a range of NGOs suggest that there are 20 to 30 million slaves at work today, perhaps as many as 2.5 million annually supplied by human trafficking with its obvious parallels to the slave trade. The estimates vary over time and by the agency providing the estimates. The International Labour Organization estimates 20.9 million within a probable range of 19.5 to 22.3 million. However, at [www.walkfree.org](http://www.walkfree.org), the current estimate (2016) is 45.9 million. According to Barry Higman, such numbers are no more than the global peak of 45 million chattel slaves attained in 1800, and, of course, constitute a much smaller share of the world's population – 4.7 percent in 1800 compared to 0.7 percent today.

As Higman points out, however, such comparisons can be misleading. “Modern slavery” as it is increasingly coming to be called is not heritable, about two-thirds of the group to which the term is applied are in debt bondage – mostly in China and India – and while such arrangements can continue for long periods, a duration of five years approximates the norm. Thus, the status of a chattel slave in 1800 is not the same as that of a modern slave as construed by twenty-first-century NGOs. The “Introduction” of Volume 3 in this series pointed to the lack of a broadly accepted definition of slavery. To complicate matters, the mandate of *The Cambridge World History of Slavery* is to go beyond slavery, however defined, and examine other forms of coerced labor. How much less likely is a consensus definition on what today constitutes coerced labor?

In the several thousand years since the onset of the agricultural revolution, very few societies around the globe evolved what could be considered to be egalitarian social structures characterized by equality, whether status, income, or between gender. In most, the majority has owed obligations to, or been dependent on, the few. The major population centers of the world, in China, India, East Asia, and the Indonesian archipelago, developed a wide range of categories of coercion and obligations to elites. Throughout recorded history, coerced dependents have been of Asian rather than African descent and, among the enslaved sub-group of this category, they have been female rather than male according to Orlando Patterson.<sup>1</sup>

<sup>1</sup> Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA, 1982), pp. 120–1.

An attempt at a taxonomy of coerced labor dependency for the eighteenth century should begin with recognition that in the indigenous Americas, much of Africa, and the Islamic world, an incorporative form of bondage prevailed. If plantation slavery aimed primarily at extracting labor, the incorporative variety evolved in part as a device to extend the size and prestige of a lineage, a fictive kin-group, or a religion in a social environment where an existence without such associations was inconceivable. Full social integration for a slave or her descendants was a possibility. Slaves in China and Korea (termed *nu* for male, *bi* for female, in China, and *nobi* in Korea), by contrast, had few prospects of changing status. They were created by foreign conquest, the court system (convicts), or were simply drawn from the lowest social stratum of base people, and all were “invisible as legal persons,” and thus without protection. Yet the concept of property in persons that characterized slavery in the European Americas and the Islamic worlds never evolved in China.<sup>2</sup> India, as we might expect given the Islamic influence, occupied a large middle ground. Collective ownership of slaves by Hindu and Buddhist monastic lineages survived alongside ownership by individuals. Islamic incursions introduced military, and extended royal court, slavery. But across Islamic, Hindu, and Buddhist communities slave holding and transfers of property-in-persons entailed responsibilities. Ownership was circumscribed by law, such that slaves had some rights, including rights to inherit, own, and dispose of their own property.

European imperial expansion led to an increase in the land/labor ratio for Europeans. Also, as exemplified by British India, it expanded the political control of Europeans which eroded indigenous forms of bondage and tended to replace them with the chattel slavery of the Atlantic World. But Europeans also adopted other forms of servile labor for their own purposes. Dutch historian Peter Boomgaard recognizes three broad categories of coerced labor in Java in a typography that has relevance for other parts of Eurasia: “slaves, who can be bought and sold, serfs, who can neither be traded nor leave their masters, and debt bondmen and bondwomen who in principle can regain freedom by paying off their debts.”<sup>3</sup> The intermittent threat of famine, the continued need for credit, and conflict within and between communities and polities, ensured a steady supply of candidates for these categories well into the twentieth and early twenty-first centuries.

<sup>2</sup> Pamela Crossley, “Slavery in Early Modern China,” in David Eltis and Stanley L. Engerman (eds.), *Cambridge World History of Slavery*, Vol. 3: 1420–1804 (Cambridge, 2011), p. 187 (hereafter, *CWHS*).

<sup>3</sup> Peter Boomgaard, “Human Capital, Slavery and Low Rates of Economic and Population Growth in Indonesia, 1600–1910,” in Gwyn Campbell (ed.), *The Structure of Slavery in Indian Ocean Africa and Asia* (London, 2004), p. 87.

To allow us to parse the different interpretations of how the terms of labor have evolved in the last two centuries it may be useful to begin with the familiar and review the essentials of a free market in labor, rather than approach coercion from its most extreme manifestation – that of chattel slavery. The years since 1804 are replete with declarations against slavery and laws abolishing it. Why this occurred is of great interest and is taken up below, but abolition immediately raises the question of what replaced slavery. The answer ranges from waged labor at one end of the free/coerced spectrum to indentures and long-term contracts at the other.

Slavery and contract (indentured) labor have normally been associated with the movement of labor over long distances. The period covered by this volume straddles what was (and is) a stage of unprecedented global migration interrupted only by two world wars. The largest and best known of these movements was from Europe to the Americas. Between 1800 and 1920, 50 million people left Europe compared to a European population in the mid nineteenth century of 276 million. Prior to 1850, some thousands of these migrants travelled under indenture (Spanish to Cuba, English to Jamaica, Portuguese to British Guiana, and, until 1827, British to the United States), but most Europeans going to the Americas – at least after the American Revolution – left free of formal restrictions on their labor. The second largest flow was between Asian countries. Asian transoceanic emigration was smaller than that from Europe. Between 1834 and 1937, 30 million overseas migrants left India, of whom 24 million returned, 7.5 million left China, and another 1 million left Indonesia, Japan, and the Pacific Islands. Many of the Chinese, Japanese, and Indonesians returned. Net transoceanic migration from all Asian countries could not have exceeded 12 million compared to a population in 1850 of around 850 million. The great majority of these 12 million were free migrants.<sup>4</sup> Finally, after 1800, about 6 million people were forcibly removed from sub-Saharan Africa for the Americas, Indian Ocean destinations, and the Middle East, almost all of them slaves (but including about 60,000 who were indentured). The sub-Saharan population in 1850 has been estimated at around 80 million.<sup>5</sup>

While the long-run big picture suggests that after 1800 – unlike before – coerced migration (however defined) was of lesser importance, it nevertheless faded very gradually. The minor flow of European indentured servants was ended with the arrival of Canary Islanders in Cuba in the late

<sup>4</sup> This paragraph is based on Walton Look Lai, “Asian Contract and Free Migrations to the Americas,” in David Eltis (ed.), *Coerced and Free Migrations: Global Perspectives* (Stanford, CA, 2002), pp. 229–58, especially, p. 230.

<sup>5</sup> Ewout Frankema and Morten Jerven, “Writing History Backwards or Sideways: Towards a Consensus on African Population, 1850–2010,” *Economic History Review*, 67 (2014): 907–31.

nineteenth century, and the African slave trade, by now confined to the Middle East, ended shortly thereafter. The Asian flow of contract laborers continued until the Indian Government banned the traffic in 1917 – but long before this point, probably around 1870 – free migration from China, India, Indonesia, and Japan had come to greatly exceed the numbers travelling under obligations to a future employer. Globally, there was a clear progression from 1800 when the slave trade was the dominant form of moving labor across oceans, to 1917, by which time most movement was nominally free – except for convicts sent from France to French Guiana (Cayenne).

The late emergence of free labor transoceanic migration in global history points to a much more fundamental innovation in social relations. Agreements to exchange wages for labor unencumbered by non-financial penalties or additional obligations on the part of either the buyer or the seller are of very recent origin. Such transactions assume either a degree of possessive individualism or the existence of an atomized society rarely found in the historical record. Contracts are as ancient as market activity and probably pre-date written language. Contracts treating labor as a commodity are at least as old as slavery. But contracts that gave one party access to the temporary use of the labor of another on the assumption that both parties are equal before the law emerged gradually, only after 1800. And only since the mid twentieth century have these become the global norm as household autarky disappeared and compulsory labor of any form has become illegal. Taking these profound transitions into account gives us a better understanding of the ebb and flow (though ultimately the ebb) of coercive labor practices since 1804.

The degree of coercion in any arrangement that commits an individual to future work hinges on two key issues. First, is the degree of volition at the point of entry into the arrangement – were there alternative options available to the laborer? The second is whether there are sanctions other than dismissal or damages that might be used to enforce the terms of the contract. As recently as 1987, the US Supreme Court was still struggling to draw a clear distinction between involuntary servitude and free labor.<sup>6</sup> For some, extreme poverty in itself constitutes coercion in the sense that there is no real alternative to committing to future labor. Such a decision is analogous to a free person selling him- or herself into slavery during a famine or at times of low income. But there is nevertheless a distinction between forcible enslavement or the inherited slave (or serf) status on the one hand, and recruitment into a

<sup>6</sup> Robert Steinfeld, “Changing Legal Conceptions of Free Labor,” in Stanley L. Engerman (ed.), *Terms of Labor: Slavery, Serfdom and Free Labor* (Stanford, CA, 1999), pp. 140–44.

fixed term of labor on the other. In the course of the nineteenth and early twentieth centuries, a shift of emphasis from the former to the latter is clearly discernible in all sectors that produced goods for global markets. In tropical areas, contract labor was often seen as an intermediate step toward waged labor (though in densely populated Caribbean islands such as Antigua, the change from slave to waged labor was immediate). In those temperate regions where serfdom was prevalent, the obligations of former serfs were gradually reduced before disappearing altogether and waged labor emerged as the dominant pattern in labor relations.

But how much volition was there for prospective migrants to commit their future labor? The story is complicated, but some generalizations are possible. Neither the British nor US 1807 slave trade abolition Acts permitted slaves captured in the course of enforcement of those Acts to become free laborers in the modern sense of that phrase. The US Act until 1820 provided for a recaptured slave to be disposed of by the state in which they were landed. For most, this meant being sold into the slave population of Georgia because the state's coastline was where US coastguards and cruisers detained most illegal slave ships. Thus, several thousand African slaves did in fact land in the United States between 1808 and 1820 and remained enslaved until the Civil War. The very few taken into US "abolitionist" ports, such as Philadelphia, were apprenticed out for a period of years, depending on their age, under master-servant laws. The British Act required recaptives to be apprenticed out for seven years (albeit in some occupation other than sugar production) ostensibly in order to acquire skills and the means to sustain themselves, but in reality to provide labor in return for food and shelter. Between 1808 and 1863, 185,000 Africans were removed from captured slave ships or coastal barracoons. For most of the nearly 100,000 arriving in Sierra Leone, there was initially some land for them to grow subsistence crops, and they very quickly formed communities with some government support, probably because the colony had no export crops and far too few masters to take on so many apprentices. Before 1848, the only large group of emancipated slaves that truly had unrestricted volition immediately after leaving slave status was the 60,000 Africans disembarked in Sierra Leone from captured slave ships that were not subsequently sent to the West Indies, or forcibly recruited by British armed forces. The 33,000 that *were* sent from Sierra Leone and Saint Helena to the British Caribbean came nowhere near meeting the demand for labor there. Initially, unrestricted volition was uncommon even in Haiti, where slaves had freed themselves. The Haitian Government forced ex-slaves to work on their former plantations and suppressed subsequent rebellions. Both Toussaint and Dessalines expressed



interest in obtaining slaves from British slave traders to revive sugar production. Wage labor was presumably not what they had in mind.<sup>7</sup>

By far the largest nineteenth-century group who travelled under terms that committed the laborer to work for an employer was Asian. A far greater number of Indian, Chinese, and Indonesian migrants travelled to relatively nearby work sites in the Indian Ocean world than went to the Americas, and the terms of labor varied. For Indians going to Indian Ocean sites, a Kanganis (an Indian recruiter), often relying on family or community ties, would negotiate the obligations of the laborer, and while no formal contract was involved, the plantations would pay the travel costs. More distant destinations did involve contracts, and often Kanganis were also involved in these. For the Chinese, a credit ticket system developed for the streams heading for South and Southeast Asia, Australia, and North America, controlled by a Chinese money broker. Under the credit ticket system, the fare would be advanced and the worker would pay it off after arrival under terms of varying length. Under indentures, supplying labor to more remote destinations in British, French, Dutch, and Spanish sugar colonies, free passage went along with, often unreliable, promises of remuneration and a fixed term of work enforced by draconian laws.

There was clearly coercion involved in or resulting from recruitment into both contract and non-contract systems. With the Kanganis, this might result in pressure from the extended family or community to which the Kanganis belonged, in contrast to the indenture where the obligation was entirely between the individual worker and employer. The free credit ticket system for Chinese migrants, operating without much state intervention in China, could lead to what today would be considered debt slavery. Like modern slavery, it was usually temporary. In Macao, the source of most Asian migrants to Latin America, abuses were rife and shipboard rebellions frequent. But the major problem for Asian contract workers was misleading information on destinations, wages, and working conditions. Among Chinese passing through Macao, outright kidnapping was also claimed to be common. The volition issue defies simple generalizations, even though most historians see contract labor as a new system of slavery from the point of “recruitment” onward. There were, however, laborers who chose to re-engage when their term was complete and others – especially in Mauritius – who were able to return to Asia. In addition, most

<sup>7</sup> Daniel Domingues da Silva, David Eltis, Philip Misevich, and Olatunji Ojo, “The Diaspora of Africans Liberated from Slave Ships in the Nineteenth Century,” *Journal of African History*, 55 (2014): 369; Philippe R. Girard, “Black Talleyrand: L’Ouverture’s Diplomacy,” *William and Mary Quarterly*, 66 (2009): 112–20; and Philippe R. Girard, “Jean-Jacques Dessalines and the Atlantic System: A Reappraisal,” *William and Mary Quarterly*, 69 (2012): 549–82.

historians would accept that living standards in the Americas, even in the tropical Americas, were higher than those in rural India and China. Did people leaving Asia have an alternative that slaves leaving Africa did not have? For the most part, the answer is yes. Staying put or going elsewhere were options for most. With or without volition contract workers entered a status that was not free labor as it is construed today, but neither was it chattel slavery.

Scholars focus on the rights of laborers under contract as much as on methods of recruitment. But here, too, a broader perspective on “freedom” described above is useful. Youval Rotman notes that in the ancient world “in fact no one was free *de facto* since freedom in its political sense according to modern definitions did not exist.”<sup>8</sup> At the beginning of the period covered by this volume, Arthur Young argued that this was still the case except for small parts of Western Europe and the Americas, but perhaps even this view was too optimistic. Breaches of contract made workers liable to penal sanctions in Germany throughout the nineteenth century and in England until the repeal of the Master and Servant Acts in 1875. Derivatives of master–servant legislation became law in Australia, Canada, South Africa, the Caribbean colonies, and New Zealand in the mid nineteenth century. A worker could be imprisoned for quitting before the end of the contract or even leaving work without permission, and the English law still provided for physical chastisement until 1867, even though such penalties had fallen into disuse in the previous century. All such legislation equated absence, disobedience, or insufficient work effort with stealing from the employer. At root was the tension “between commitments to liberty of person and commitments to liberty of contract.” Over the course of the nineteenth century, the former gradually took precedence over the latter. The beginning of the process was perhaps marked in the late 1820s when a US canal company gave up its attempt to enforce indentured contracts agreed to in England despite obtaining a favorable court decision. It was the withering of indentured servitude in the United States prior to the ending of slavery and then the failure of US legislation to successfully bring it back in 1864 that signified the emergence of modern conceptions of free labor.<sup>9</sup>

The enforcement of indentured contracts on migrant Asians in the Americas, South Africa, and the Indian Ocean areas was not much different in principle from what was already in the statute books in Europe and the United States. When governments in British tropical possessions

<sup>8</sup> Youval Rotman, “Forms of Slavery,” in Peregrine Horden and Sharon Kinoshita (eds.), *A Companion to Mediterranean History* (Chichester, 2014), p. 265.

<sup>9</sup> Robert J. Steinfield, *The Invention of Free Labor: The Employment Relation in English & American Law and Culture, 1350–1870* (Chapel Hill, NC, 1991), pp. 166–72.