Introduction

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Slavery and slave theory in antiquity

Slavery in practice

The word 'power' has many meanings: . . . in the person of a slave it means ownership.   Paulus, Roman jurist, early third century.[1]

As our trade esteemed Negroe labourers merely a commodity, or *chose* in merchandize, so the parliament of Great Britain has uniformly adhered to the same idea; and hence the planters were naturally induced to frame their colony acts and customs agreeable to this, which may be termed *national sense*, and declared their Negroes to be fit objects of purchase and sale, transferrable like any other goods or chattels: they conceived their right of property to have and to hold, acquired by purchase, inheritance, or grant, to be as strong, just, legal, indefeasible and compleat, as that of any other British merchant over the goods in his warehouse.

(Edward Long, planter and lawyer, 1772)[2]

A slave was property. The slaveowner's rights over his slave-property were total, covering the person as well as the labour of the slave. The slave was kinless, stripped of his or her old social identity in the process of capture, sale and deracination, and denied the capacity to forge new bonds of kinship through marriage alliance. These are the three basic components of slavery. They reveal its uniqueness and

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[1] *Dig.* 50.16.215: Paulus, *Ad legem Fufiam Caniniam* (an Augustan law of 2 BC restricting testamentary manumission). Cf. *Dig.* 1.5.4.1; Buckland (1908), ch. 2.
[2] E. Long, *Candid Reflections upon the Judgement lately awarded by the Court of King's Bench in Westminster-Hall. On what is commonly called the Negroe-Cause. By a Planter*, London. Cited in Shyllon (1974), 150. Cf. Article 1 of the Slavery Convention of the League of Nations (1926): 'Slavery is a status or condition of person over whom any or all the powers attaching to the rights of ownership are exercised.' Cited in Greenidge (1958), 224.

explain its appeal to owners. There were other types of 'unfree'. Chattel slavery has been historically a rare mode of unfreedom. But no other labour system offered a proprietor such flexibility and control over his labour force as did chattel slavery.[3]

There have been slaves in many societies, but very few slave societies. In a genuine slave society (as distinct from a society with slaves, or a slave-owning society), slaves are numerous, but the crucial issue is not slave numbers, but whether slaves play a vital role in production. In a pre-industrial society with, inevitably, an agrarian base, this means that they should form the core of the agricultural labour force, more particularly on the estates of the wealthy. Societies of the Ancient Near East do not meet this criterion; nor does most of the territory that made up the Roman Empire in its prime.[4] One might also expect to find (in slave societies) slaves in mining, another important sector of the economy, and in 'industry', wherever an enterprise was larger than could be manned by the members of a family. ('Industrial' enterprises in classical antiquity were not 'factories' in the modern sense with an elaborate division of labour, but small-scale assemblages of craftsmen doing basically the same kind of work.)

Not all slaves in a slave society were productively employed. Where significant wealth is gained from military activity or tribute, slaves can be afforded as consumers. In classical Rome slaves congregated in the households of the rich, doing domestic service and boosting the status of the owner by their presence in numbers. However, it is unwise to draw a sharp distinction between household slaves and slaves employed in agriculture. There existed also, in Greece as well as in Rome, an upper echelon of skilled slaves, based on the household but

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[3] For definitions of slavery, see Davis (1966), 46–7; Patterson (1982), 431; Finley (1980), 67–78. A select bibliography on slavery as practised in antiquity (as distinct from slave theory) might include Westermann (1955); Biezunska-Malowist (1974–7); Hopkins (1978); Finley (1980) (1981) (1985) (1987); de Ste Croix (1981); Bradley (1984) (1994); Garlan (1988). Brockmeyer (1979) provides a useful bibliographical guide.

[4] The main labour force on the land in the Ancient Near East, e.g. in Asia Minor and Mesopotamia, appears to have been semi-free 'serfs'; slaves were employed mainly in the domestic sphere. See Mendelsohn (1949); Dandamaev (1984); Powell (1987). For Egypt, see e.g. Cruze-Uribe (1982); Biezunska-Malowist (1974–7); Bagnall (1993). There is not much sign that slaves were employed in agriculture in Palestine in any period of Jewish history. See Kreissig (1973); Richter (1978); Cardellini (1981). For the Roman Empire, see n. 6.

working outside it, bringing in monetary income from crafts, financial services or commerce.

Athens in the fifth and fourth centuries BC is the best-known of the Greek city-states whose economies were based on chattel slavery. In the course of the third century BC a slave society evolved in Italy and Sicily, centred on the imperial capital of Rome and its 'home provinces' in the centre and south. Slaves maintained a significant presence in the rural economy of these areas at least as long as the Roman Empire remained intact. The system of tied tenancy (the 'colonate') that is characteristic of the late Roman Empire may have made inroads into the slave system, but did not displace it.[5]

However, even allowing for significant gaps in our information for some other parts of the Mediterranean region, it can be confidently stated that in most of the classical world at most times slaves made up only a small percentage of the labour force.[6] This means that the taxes and rents extracted from a free but dependent peasantry were often more important than the income that could be drawn through the exploitation of slaves. The challenge is to explain why chattel slavery arose when and where it did, displacing the more standard non-slave dependent labour constrained by economic or 'extra-economic' relationships.

Factors relevant to the introduction of chattel slavery include military strength, or the capacity to capture slaves as booty from other, weaker communities (and any defeated enemy population might in principle be enslaved)[7]; the presence of a propertied elite with the means to acquire slaves; and room for slaves in the economy of the host society. All three factors operated in the Roman case. Rome's victorious wars greatly swelled the supply of slaves; leading Romans and Italians, enriched by these wars, bought slaves cheaply and in bulk or brought them home as booty; and continuous, large-scale conscription of peasants over a long period of time left a large hole in the

[5] The survival of rural slavery in Italy and Sicily in the late Empire is disputed. For MacMullen (1987), Italy and Sicily remained, uniquely, slave societies; Whittaker (1987) is essentially in agreement, but envisages some decline.

[6] Finley (1980), 79; MacMullen (1987); Whittaker (1980) in Garnsey (1980); Whittaker (1987).

[7] On enslavement following capture, see Pritchett (1991), 170–2, 223–44. A law ascribed to the Athenian statesman Lycurgus prohibited the purchase by a citizen or resident of Athens of a captive who was of free birth. See Plutarch, *Mor.* 842A. The law is distinctly problematic. See Pritchett (1991), 416–17.

agricultural labour force in Italy. The process by which chattel slavery was introduced into Greek city states from the sixth century BC (the island of Chios, in the historical tradition, leading the way) cannot be followed closely. It seems that endemic warfare, generally small in scale, together with piracy, produced a supply of slaves which could be tapped by proprietors who had the resources to purchase them. It is likely enough that in some parts of Greece slaves were employed in the home as household servants before they were introduced systematically into agriculture. However, Athenians, at any rate, in the late archaic period had need of slaves because the reforming law-giver Solon in the early sixth century outlawed debt-bondage and other forms of dependent labour affecting the free residents of Attica, thus depriving rich Athenians of their workforce. In contrast, the main rivals to the Athenians in Greece, the Spartans, did not need to import slaves. They were committed to helotage, a system of forced labour involving the enslavement of the local, Greek inhabitants to the community, not to individual Spartans. There are parallels to Spartan helotage elsewhere in Greece, notably in the *penestai* of Thessaly, and on the margins of the Greek world in colonized areas, for example in the territory of Heraclea Pontica on the southern coast of the Black Sea, where the Mariandyni worked their lands under the control of the Heracleots.[8]

Even in those rural areas where slavery flourished free labour was not completely displaced. A permanent slave labour force was commonly supplemented by seasonal wage labour.[9] This was a necessary response to the highly seasonal climate of the Mediterranean region and the growth cycle of the standard Mediterranean crops. Cereals and, more particularly, olives, required relatively low annual labour inputs, and most of the work was required for the harvest, and for ploughing in the case of arable. It would have been uneconomic to keep through the year, as slaves, the number of workers who were needed for harvesting. Harvesters were usually free men, who might be drawn from the landless or from smallholders (working their own or someone else's land), seeking to supplement their exiguous

[8] On the ambiguous status of helots and similar groups, see Finley (1964); de Ste Croix (1981), 147–62, esp. 149–50; de Ste Croix (1988); Cartledge (1988). For the Mariandyni, see pp. 146–50.
[9] For Greece, see Amouretti (1986), 214–15, and in general, for the location of the free poor, Jameson (1994). For Rome, see Garnsey (1980); Rathbone (1981).

incomes. To this extent the slave-system and the peasant-system existed side by side and were mutually supporting. Also, in the setting of the urban economy, slave-owners who needed skilled workers in non-agricultural enterprises turned to slaves rather than free wage-labourers, who made up the bulk of the unskilled, temporary and seasonal workforce.

This points to a paradox at the heart of the slave system. Slavery is the most degrading and exploitative institution invented by man. Yet many slaves in ancient societies (not all, not even all skilled slaves, a class that included miners) were more secure and economically better off than the mass of the free poor, whose employment was irregular, low-grade and badly paid. The point was not lost on contemporaries, slaves and slaveowners alike. It was not unknown for free men to sell themselves into slavery to escape poverty and debt, or even to take up posts of responsibility in the domestic sphere. In antebellum America some apologists for slavery based their case on a comparison between the blessings of slavery in the paternalistic south and the 'hunger slavery' or 'pauper slavery' of the wage-labour system of the capitalistic north (and England).[10]

Slavery, then, was far from being the universal or typical labour system in the ancient Mediterranean world. But it can hardly be dismissed as marginal, if it was embedded in the society and economy of Athens, the creator of a rich and advanced political culture, and of Rome, the most successful empire-builder the world had thus far known. The pro-slave theorists of the old south saw Athens and Rome as the standard-bearers of classical civilization and understandably called them up in support of their cause,[11] along with the Biblical slaveowning societies of ancient Israel and early Christianity. In any

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[10] See e.g. Edmund Ruffin (1794–1865) in McKitrick (1963), 69–85, at 76–81. A key text for Roman society is Epictetus 4.1.33–7 (= B7). Unlike Harrill (1993), I do not read this passage as simply an aspect of the ideology of the slaveowning class; but I agree with him that freedmen, for a variety of reasons, to do either with financial independence or, on the other hand, continued dependence on former masters, might be relatively secure after manumission. For voluntary slavery, see Ramin and Veyne (1981).

[11] See p. 237. Writing to Dr Johnson on 15 January 1778, Boswell showed his displeasure at the verdict of Lord Mansfield in the Somerset case, but expressed satisfaction that 'the Lord President, Lord Elliock, Lord Monboddo, and Lord Covington resolutely maintained the lawfulness of a *status* which has been acknowledged in all ages and countries, and that when freedom flourished, as in old Greece and Rome'. Quoted in Shyllon (1974), 181.

case, the presence of slavery extended far beyond those parts of the Mediterranean where it was vital to the agricultural economy. In particular, slaves were abundant in the cities, the residential centre and power-base of the social, cultural and political leadership of the Graeco-Roman world. Thus, to illustrate only from late antique north Africa (an area where the rural labour force was predominantly free from Egypt to Morocco), Augustine bishop of Hippo Regius in eastern Algeria and Synesius bishop of Cyrene could each assert that there were slaves in every household.[12] Moreover, it was precisely in the domestic setting that slavery impinged most on the consciousness of slaveowners. The anxieties, fears, thoughts and theories that surface in the literary texts and that it is the business of this work to explore, are precipitates out of the day-to-day, face-to-face contact of exploiter and exploited. Unfortunately, the evidence is completely one-sided, for there are no slave biographies from antiquity. The *Life of Aesop*, a comic fabrication of unknown authorship and purpose, whose central character is 'an invented, generalized caricature of a slave', is no substitute.[13]

We should not expect slave systems to be identical from one society to another. There were subtle differences between Athenian and Roman chattel slavery. Athenian democracy and democratic ideology fed off slavery. The gross exploitation of allegedly culturally inferior non-Greeks – and most slaves in Athens were 'barbarians', or foreigners, from Thrace, the Black Sea region, Asia Minor and Syria – facilitated a remarkable degree of political participation of ordinary (adult male) members of the society.[14] Slavery both provided the economic necessities of life for a number of Athenians, and gave them the

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[12] Augustine, *Enarr. in Ps.* 124.6–7 = *CCL* 40.1840–1841.12–14; Synesius, *De regno* 15 = *PG* 66.1093.

[13] See Perry (1952) for the text, Daly (1961) for a translation, and Hopkins (1993) for a brilliant attempt to extract historical meaning out of the text. Bradley (1994) gives particular, sustained attention to the problem of recovering the slave's experience of slavery.

[14] The catalogue in Pritchett (1991), 226–34, contains many references to the enslavement of Greeks by Greeks. It remains true that most slaves in Greece were non-Greeks. Apart from Solon's law, there is no evidence and no likelihood that the employment of Greek slaves within Greece was illegal. In early Rome there was a law against the employment within the community of Roman slaves, whose condition was a consequence of a legal penalty. See Lévy-Bruhl (1934). The conviction that slaves should ideally be outsiders did not disappear altogether at Rome, but in the context of an ever-expanding empire the identity of the outsider was subject to constant redefinition and revision.

freedom to pursue 'the good life' in the sphere of politics. In Rome
there was a paradox of a rather different kind. Romans enslaved on a
grand scale, but also freely emancipated slaves.[15] Slaves were freed and
in many cases became Roman citizens, in considerable numbers. Why
was this so?

The Romans were a practical people. They could see that the
integration within their community of conquered peoples, whether
slaves or free subjects, was a recipe for growth and the consolidation
of conquest. Roman citizenship was inclusive. It was a device for
expanding the demographic, military and economic base of the com-
munity. Athenian citizenship was exclusive, and the more democratic
the Athenian constitution and political practice became, the harder it
was to get onto the citizen rolls. It was Pericles the champion of the
radical democracy who was behind the law that no one could be an
Athenian citizen who did not have two Athenian parents.
Manumission of slaves did happen in classical Athens, but it was not
common, and freed slaves entered a limbo-world in which full polit-
ical and economic membership of the community was denied them.
Their status in some ways resembled that of another marginal group,
the metics, that is, resident foreigners of free birth.

In general, while the juridical status of chattel slaves was more or
less invariable from one society to another, there was plenty of scope
for the differential treatment of slaves. The variations in the practice
and incidence of manumission raise the possibility that these differ-
ences might be structural, and enable broad cross-societal compari-
sons to be made. We might want to speculate, for example, that the
combination of traditional Roman pragmatism and Stoic and
Christian humanitarianism promoted better master/slave relation-
ships and afforded slaves greater opportunities for social mobility in
Roman or Graeco-Roman society than in Greek.[16] There is a risk that

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[15] For the rate of manumission in Rome, see Wiedemann (1985). Alföldy (1972)
exaggerates its frequency.
[16] The generally benign and ameliorating effect of Christianity was argued long ago by
Wallon (1847), while Allard (1876) was convinced that the Church was opposed to
slavery. See Finley (1980), ch.1, for the early historiography of slavery. It is noteworthy
that Augustine claimed only that Christianity improved master/slave relations; see *De
mor. eccl. cath.* 1.30.63 (= PL 32.1336): 'You teach slaves to be faithful to their
masters from a love of duty rather than from the necessity imposed on them by their
status. You make masters more benign towards their slaves out of regard for the one
God who is Master of both, and you dispose them to look after their interests rather
than keep them down by force.' Even this claim is unverifiable.

in entertaining such hypotheses we overlook the fact that the slave system was by its nature barbaric. Even slaves with good prospects of emancipation regularly suffered petty humiliations and cruelties, and occasionally appalling atrocities, as when the Roman senate in Nero's reign invoked the full asperity of the law to put to death a large number of domestic slaves and freedmen (400, according to the source) in revenge for the assassination by one of them of the household head, who happened to be the prefect of Rome.[17]

There are broad comparisons to be made between societies in the way slaves were treated, but this issue should also be treated on an individual level, as a function of the relationship between particular masters and slaves. The origin of a slave, the job that a slave did, his or her usefulness to the master, the attitude and character of the master or mistress: these are the kinds of variables that are relevant here. Was a slave first-generation or born and raised in the household? Slave-breeding receives little mention in the sources before the Roman Principate. This might seem to imply that Romans of the imperial period were less inclined than Republican Romans or classical Greeks to regard individual slaves as a short-term investment, to be discarded and replaced after a relatively brief period of service.[18] A slave born in the household could be trained and his acquired skills exploited over an extended period of time, first as a slave, then as a freedman. An

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[17] Tacitus, *Ann.* 14.42–5.

[18] There were, however, slaves in democratic Athens and Republican Rome who achieved positions of responsibility. For Athens, an evocative source is the 'Old Oligarch', an anonymous Athenian writer from the fifth century BC, who disliked the radical democracy, and who alleges that Athenians were forced to give their slaves a considerable amount of freedom because they knew that otherwise they would not get the best out of them. He goes on to complain that it was impossible to tell slaves and citizens apart on the streets of Athens. See Ps.-Xenophon, *Const. Ath.* 1.10–12. Cohen (1992), esp. 73–100, collects and interprets the evidence from Athens for slaves in business, with special reference to banking. The evidence from Rome is mainly relevant to the period of the Principate, but see the discussion, drawing on Cicero's correspondence, in Bradley (1994), at 77–80.

On slave-breeding, the presence, also in the Republican period, of slaves born in the household (*vernae*) can hardly be discounted, at any rate in the urban setting. (Much is made of Columella, *De re rustica* 1.8.19 (of mid-first century AD date) referring in a rural setting to rewards for female slaves for bearing children, for which passage there is no equivalent in the earlier treatises of Cato and Varro.) The biographer of Atticus claims that he used only *vernae* as servants in his household, see Cornelius Nepos, *Att.* 13.4. On *vernae*, see Schtaerman (1969), 36–70; Rawson (1986); Hopkins (1978), 139–41, exploiting the Delphic manumission documents (around 1,000 documents referring to more than 1,200 slaves, from 201 BC to AD 100).

educated secretary, a canny accountant or a skilled craftsman were better off than men in the mines or in chain-gangs on large estates. It does not follow that slaves with prospects of advancement escaped punishment and abuse of various kinds. Slaveowners strove for absolute obedience from their slaves, and they knew that the way to instil obedience was to combine inducements to good behaviour with the ever-present threat of and not infrequent resort to violence.

The reactions of slaves to their condition and to their owners were similarly variable and for broadly speaking the same reasons. The spectrum of responses ranged all the way from 'working the system' – in the sense of co-operating to the full with the master in the interests of self-advancement – through passive acquiescence and mildly non-co-operative behaviour (laziness, pilfering, sabotage) to active resistance (suicide, running away, assault on masters). All these were personal strategies pursued by individuals in what they conceived to be their own interest. Even when slaves banded together in open revolt, as they did in antiquity only very rarely, the rebels were not seeking to abolish the institution of slavery and restructure society in the interests of an exploited class.[19]

Attitudes to slavery

Slavery was a structural element in the institutions, economy and consciousness of ancient societies. Within these societies slavery had won broad and deep acceptance, in particular, among the propertied classes, who also formed the social and political elite. But what is implied in the 'acceptance' of slavery? For Robert Fogel, this signifies the absence not only of any movement for the abolition of slavery, but also of either critics or defenders of the institution. He writes:

For 3,000 years – from the time of Moses to the end of the 17th century – virtually every major statesman, philosopher, theologian, writer and critic accepted the existence and legitimacy of slavery. The word 'accepted' is chosen deliberately, for these men of affairs and molders of thought neither excused, condoned, pardoned, nor forgave the institution. They did not have to; they were not burdened by the view that slavery was wrong. Slavery was considered to be part of the natural scheme of things. 'From the hour of their birth', said Aristotle, 'some are marked out for subjection, others for rule.'

[19] Bradley (1994), 107–31, is a good discussion of slave responses.

Fogel goes on to claim that theologians saw a possible conflict between divine and human law, but adds that they headed this off by treating the spirit, as opposed to the body, as free:

It is true that some theologians were troubled by the possible dichotomy between servitude and the 'divine law of human brotherhood'. But this apparent contradiction was neatly resolved in Christian theology by treating slavery as a condition of the body rather than of the spirit. In the spiritual realm, 'all men were brothers in union with God', but in the temporal realm, slavery was 'a necessary part of the world of sin'. Thus the bondsman was inwardly free and spiritually equal to his master, but in things external, he was a mere chattel.[20]

Fogel is challenging students of the ancient world to ask a number of questions, including the following: Was there a debate or an exchange of views on the morality and legitimacy of slavery? Were dissentient views expressed? Did anyone say, or think, that slavery was wrong? Did spokesmen for the slave-owning societies emerge to justify the institution? Are attitudes to slavery, whether critical or supportive, reflected in the way slave-systems were run?

Part I of this work addresses these questions. I find that alongside the many texts that take slavery for granted (ch. 2) there are some (few) attacks on slavery as an institution (ch. 6), as well as the more predictable (and numerous) criticisms of abuses or mismanagement in contemporary slave systems (ch. 4). Then there are a number of apparently progressive statements ('Fair words') centring on the notions of the humanity of slaves and their common kinship with masters (ch. 5). The meaning and ideological function of these utterances have to be carefully evaluated, but there must be a suspicion that they reflect the moral anxieties and tensions of a slave-owning class engaged in the thoroughgoing and brutal exploitation of their fellow men. The counterpart to the expression of these sentiments in literature is the measures taken by individual slaveowners (especially in the urban setting, in the Roman period), with the backing of the law, to mitigate slavery (ch. 7). Finally, there are justifications of slavery, of which natural slave theory as expounded by Aristotle is the most familiar (ch. 3).

All this adds up to much less than a lively, open debate over the existence and legitimacy of slavery such as was waged in the antebellum

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[20] Fogel (1989), 201.