

THE APOLOGY OF SLAVERY

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By:-

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THE APOLOGY OF SLAVERY.

The problem before us in this essay will consist in an attempt to trace out the historical defence of slavery, and to point out wherever possible the nature of that defence, and the validity of any claims its authors may have advanced for the existence of this institution. In order to get a working basis we shall at the outset, endeavor to briefly investigate the origin of slavery, and the status of the slave and relation in which he stood to the social and economic life of antiquity. The magnitude of our subject will be at once obvious to anyone who has given it careful thought. And among the difficulties which have presented themselves to the writer, in connection with this work, that of access to official data may be mentioned as one of the chief. Consequently because of this difficulty in addition to the comprehensive character of our subject, we shall confine our efforts to the countries which furnish the greatest amount of documentary evidence; going beyond these only to that extent which appears necessary to give clearness to our work. As for instance, when we come to deal with the modern period of Colonial slavery we shall find it necessary to turn to Portugal and Spain in order to trace the rise of negro slavery; then we shall confine ourselves almost exclusively to the study of the defence of this institution in Britain and in the United States. Finally we shall give brief statements of the arguments advanced in defence of slavery from the economic, the ethnological and the religious view-points.

With regard to the nature of the defence of slavery, it is perhaps necessary that we should observe at this point, that, as will appear in the course of our investigations, this institution was on a whole considered legitimate until comparatively recent times. Although, in all ages since men began to think a few scattered dissident voices might be heard. As, for instance, Plato when about to construct an ideal society, might be led to doubt the lawfulness of certain forms of slavery, and Aristotle find it necessary to defend it when laying down principles for his ideal city state; again the Roman jurists might find difficulty in reconciling its existence with their views of the *jus naturale*, and to the Church fathers it might seem incompatible with the principles of Christianity; yet, on a whole men accepted the institution of slavery as the normal basis of human society; if not of divine origin, it had at least become established by immemorial custom, and any attempt to abolish such a venerable system would scarcely be conceived of. Its defence, therefore, was for ages little more than a tacit acquiescence in a custom that had been thought inevitable, sanctioned by the gods, and perpetuated by man. It shall be our purpose to endeavor to find the point of view

from which the institution of slavery was viewed in different periods of history and amongst different peoples. Our two opening chapters will be largely of an introductory character, and the writer craves indulgence if some of the statements made appear to be of too general a character.

CHAPTER I.

ANCIENT SLAVERY.

(a) The origin of slavery:- was a necessary element in the industrial life of antiquity; arises at the beginning of settled agricultural life; want and war the great sources of; marks a distinct advance on the period when the successful warrior slays his captive; is perpetuated by social inequality; necessary to the acquiring of industrial habits; not widespread during the Nomadic period; necessary to systematic conquest.

(b) The status of the slave:- definitions of slavery; his treatment varies with social conditions; status of in Hebrew and Babylonian legislation, in Greece and in Rome; influence of religion in the treatment of.

(c) Slavery in relation to the life of ancient times:- general in the civilization of antiquity; necessary to the advance of the social arts; took the place of modern machinery; the great public works of the old world could not have been erected without it; prevailed to a vast extent in ancient Egypt, Assyria, Greece and Rome.

.....
Slavery appears to have been a necessary element in all ancient industrial life. We may infer the truth of this supposition from the fact that such eminent political thinkers as Aristotle defended it in principle. It probably originates at the beginning of settled agricultural life, and represents a stage in social or industrial organization and development. Its beginning marks the point where laborers as a class first make their appearance.*(1) "The greatest of divisions" says Tylor "that between freeman and slave, appears as soon as the barbaric warrior spares the life of his enemy when he has him down, and brings him home to drudge for him and till the soil. How low in civilization this begins appears by a slave caste forbidden to bear arms forming part of several of the lower American tribes."*(2) This point in human development marks a distinct advance on the period antecedent to the rise of slavery in which the enemy or stranger (once almost similar characters) in all probability were killed and eaten. *(3) At a more advanced stage of society when capital is still unknown, property insecure and violence universal the weak are driven to seek the shelter of the strong, and accept terms of maintenance from others to which under normal conditions they would never submit. On the one hand property in the persons and labor of the poor is the only inducement they can hold out to the opulent to take them under their protection; while on the other compulsion is the only means of

*(1) New Inter.Encycl. Art. Slavery

*(2) Anthropology, p.434.

*(3) Hor.Ep.1:16,69.

rendering labor general in the rude ages which must precede the influence of artificial wants. *(1) The legitimacy of slavery is widely recognized at this period of human history. "It is enough to say" observes Ingram, "that nowhere has productive industry developed itself in the form of voluntary effort; in every country of which we have any knowledge, it was imposed by the strong upon the weak and was wrought into the habits of the people by the stern discipline of constraint." *(2) Slavery does not appear to any great extent during the Nomadic or pastoral period, nor does it appear to have been widespread in countries where a caste system prevails. In such countries the lower classes are collectively, not individually subject to the higher. It was in proportion as life became sedentary and society was organized for military conquest that, relatively speaking, slavery found its most natural and necessary place. Here again, Ingram claims, that slavery discharged an important function by enabling military operations to be carried on with that degree of intensity, and continuity necessary for the systematic conquest and acquisition of territory. Also that it cannot be denied that war has performed an important function for the human race. At this period "the freeman then essentially a warrior and the slave were mutual auxiliaries simultaneously exercising different functions each necessary to the maintenance and furtherance of the activity of the other, and thus co-operating without competition and conflict towards a common public end." *(3) However, much it may jar our sensibilities, slavery at this early stage of development is generally admitted a necessary element of human society by eminent writers on the subject. And it only becomes an anachronism when mankind has advanced socially, politically and economically beyond the point where the conditions prevailing at this stage are found.

Passing now to our next head "the status of the slave"; we find slavery defined by Cobb as: "that condition of the individual over whose life, liberty and property another has unlimited control". *(4) This definition is, however, not strictly correct, for the control of the master over his slave might be variously limited. It might better be defined as that state in which a human being is an object of property, a chattel. The term "ebed" is common to the Semitic group of languages including the Assyrian (where "ardu" is the commoner term). It is equivalent to the Greek *δοῦλος*, and signifies one who labors for another and remains permanently subject to this relationship. *(5) The condition of the slave varied with time and place, from terms

*(1) Alison's Hist. of Europe, Vol.5, C.31.- Harper, Slavery & Social Ethics, in Cotton is King p.551.

*(2) Hist. of S., p.6; Also Encycl. Brit. Art.S.

*(3) Hist. of S., p.6; Also Encycl. Brit. Art.S.

*(4) Introd. to Law of Negro S. p.1.

*(5) Hasting's Bible Dict., Art. S.

of greatest familiarity existing between master and slave to a bondage of the most abject type. In ancient society the different ranks of the community appear to have moved easily and freely amongst each other, and come into hourly contact. "Our modern conception of servitude fails to represent the relation that subsisted among ancient peoples, whether Semetic or Aryan, between the slave and his master*(1) In the Odyssey Homer depicts the genial life of Ithaca and the terms of familiarity existing between Odysseus and his trusted slaves. A close parallel is found in the Bible narrative (I Sam. 11:5) which tells of Saul the Benjamite chief and Israel's future king returning with a yoke of oxen from his field. In such a society the slave might be equal in rank to his master, who knew that a similar fate might befall himself and the various members of his family. *(2) However the slave did not always live in such happy circumstances. Even Homer reflects that: "Zeus takes away half a man's virtue in the day that slavery comes upon him." *(3) And under Hebrew legislation which compared so favorably with the legislation of contemporary peoples, the male and female slave appear to rank next above the ox and the ass. His oxen were called migneḥ (acquired possession) the slave migneḥ keseph (purchased possession) (Ex. 12:44) Again the Hebrew slave might be beaten to death, yet the master go free did the slave not die before the end of the first day; his loss by death being considered sufficient penalty. (Ex. 21:20, 21) Under the ancient code of Hammurabi the Babylonian slave was treated very much as a chattel. He could be sold or pledged, and in the event of damage being done to him the master reserved the right to compensation (sec's. 118, 214, 219). In Egypt, the lot of the slave was often a bitter one, *(4) but perhaps nowhere was his bondage of a more abject type than at Rome previous to the rise of the humanitarian movements. Varro in his *de Re Rustica* (1.71) expressly classes slaves with beasts of burden. Even the genial Cicero feels constrained to apologize to his friend Atticus for feeling "more than a becoming grief" for the death of his slave Postheus (Ep. ad Attic. 1.12). And Taylor in his *Civil Law* as quoted in Cooper's *Justinian* (p. 411) declares that the Roman slave has practically no status. In Greece the lot of the slave was a happier one than at Rome. Though at Athens the domestic slave acquired by purchase was entirely the property of his master and could be disposed of at pleasure; *(5) and Aristotle regards him as a mere possession or chattel (ἡγεμονία) or an instrument endowed with life (ἐμψυχον ὄργανον) *(6)

It is important to remember that in all ages man's religious beliefs have influenced him in his attitude to slavery and in

*(1) McCurdy, *Hist. Prop.* & the Monuments V. 2, Sec. 406.

*(2) Emmaeus, *Od.* 14, 64.

*(3) *Od.* 17, 322.

*(4) *Ex.* 1:11 ff.

*(5) Callister. *ap. ath.* 6, 2:31

*(6) *Eth. Mo.* 7:13, pol. 1, 4.

the treatment of such strangers as might come under his power. *(1) During the period of fetichism the deity was strictly local and the tendency was to the extermination of all captives from outside the social group or totem to which men belonged. When, the age of polytheism has arrived, man's outlook has broadened somewhat. But, the submission of the vanquished warrior no doubt implied the inferiority of his gods and was sufficient justification for consigning him to perpetual bondage. Finally when man has arrived at a monotheistic belief his ideas of duty and liberty are gradually awakened and developed. The length of time this process involves is shown by the fact that even Christians until comparatively recent times, scarcely recognized any duty towards moslems or pagans, beyond that of converting them to Christianity when possible.

That slavery prevailed to a vast extent in ancient times may be gathered from the fact that all the civilizations of antiquity appear to have been based on this institution. "It has been so general" writes Cobb, "that a detailed and minute inquiry into its history would force us to trace the history of every nation of the earth". *(2) And the French economists. Dunoyer, as quoted by Ingram, asserts that: "the economic regime of every society which has recently become sedentary is founded on the slavery of the industrial professions." *(3) While Blummer held, that: "all the social and economic conditions of antiquity are based on the institution of slavery, and without it would have been impossible; in fact, slavery is so clearly woven with the whole life of antiquity, that even the political development of ancient nations and their achievements in the domain of art and industry would be inexplicable without the existence of a large slave population." *(4) The widest historical research would appear to confirm these statements. Manual labor was performed by the slave, industrial and agricultural life began to make headway, wealth increased, and the necessary leisure was given to priest, philosopher, and men of letters to meditate and raise the level of human intelligence. What machinery does for the modern world slave labor did for ancient times. The vast public works of Egypt and the monuments of Assyria may be accepted as silent apologies for its absolute necessity in those early ages. In support of this we

*(1) Ingram. Hist. of S. p.8.

*(2) Introd. Law of Negro S. c.1,p.1.

*(3) Encycl. Brit., Art.S.

*(4) Home Life of the Greeks C.15,p.519.

have the tradition of the Hebrew people being held in bondage by Pharoah and employed in the building of his store houses (Ex.1:11,14) "One" Rawlinson writes, "and perhaps the main result of all the military operations in which Rameses employed himself for many years, was the acquisition of many thousands of captives". And, quoting in the same connection from Lemornant's d'Histoire Ancienne, he continues, - "Man-hunts were organized upon a large scale throughout the whole of the country of the Soudan and the principal episodes of these negro-hunts were sculptured upon the walls of the temples as glorious exploits." *(1) It was of course in connection with his passion for great works that Rameses desired and obtained this vast addition to the store of naked human strength." *(2) Assyria was a great military empire and naturally had a large slave population. The captives obtained by her great military conquests were employed in large numbers in the building of monuments. The vivid reliefs discovered at Konyunjik portrayed in Layard's Nineveh and Babylon *(3) represent a scene in which an Assyrian king is superintending the removal of an enormous bull. Several hundreds of slaves provided with a rope that passes over their shoulders are struggling in single file up a steep hill, dragging into position the bull which has been landed from the river. Other slaves are seen carrying saws, picks, shovels, &c., the more modern civilization of Greece was essentially based on slavery. The numbers generally given are without doubt greatly exaggerated but that they were large cannot be disputed. Plato expressly remarks that some persons had fifty slaves and even more *(4) when we take into account the domestic slaves, the many thousands working in the country, in the factories, in the mines, and those who were the property of the State, and of the temples there is little reason to doubt that their number greatly exceeded that of the free population. *(5) Among the Romans slavery reached an excess never known elsewhere. ~~Menon~~ ^{Menon} tells us, that towards the close of the second century B.C. as many as ten thousand slaves were disposed of in a single day at the great slave-market in Delos. *(6)

*(1) Hist. of Ancient Egypt. V.2, C.22, p.312.

*(2) Op. Cit. v.2, C.22, p.314.

*(3) pp.25,27.

*(4) Rep.9, p.578,

*(5) Ticker, Life in Ancient Athens, p.37, also Ingram, Hist. of S. pp.21-23.

*(6) Hist. of Rome, vol.3, C.2, p.305.

CHAPTER II. PATRIARCHAL SLAVERY.


The bearing of this (legendary) form of slavery on our subject; use of the term patriarchal; patriarchal society among the Hebrews, in the Homeric age, in Greece, in Rome; it rested upon a religious basis; slavery of legendary times not harsh; claims made for its justification.

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We are now in a position to begin what will constitute the main part of this essay, viz., the examination of the apology of slavery as we find it in the different periods of history. In this chapter we will deal with the patriarchal age. It might be urged that here we have such a scarcity of reliable data to work on that time spent on a study of this period is practically wasted. Against this we contend that an investigation into the social conditions of patriarchal times is of the greatest importance in throwing light on the thought of succeeding periods of history. It is reasonable to suppose that men in succeeding generations as they looked back to this early age, and viewed it through the halo of myth and legend that enveloped it, would be profoundly influenced by it in their thinking, and that here many social customs of great permanence had their root.

Fortunately that much disputed question, the "patriarchal theory", lies beyond the scope of this work. And we shall use the term "patriarchal" in a ~~free~~ sense, to mean that form of society in which the wives, children, dependents and slaves are united under a common head the master ~~or~~ house-father, by ties of the same general character. And by a perhaps somewhat modified use of the term hope to include the early settled life of the Hebrews in Canaan. Speaking generally, in all patriarchal civilization the servant or slave became a member of the household and shared in the common protection afforded by this primitive group. Maine claims that: "the primitive ideas of mankind were unequal to comprehending any basis of connection inter se of individuals apart from the relations of the family"

*(1) According to Biblical tradition the servants of Abraham were admitted to the same religious privileges with their master and received the seal of the covenant (Gen. 17:9, 14, 24) McLennan ~~in a carefully written work~~ *(2) endeavors to show that the patriarchal family never existed among the Hebrews, and in support of his claim makes a free use of passages from early Biblical history. He does not appear to take into account however, the fact that these passages were, (according to Biblical Critics) written during the period from the ninth to the fifth centuries B.C. reflect the life of this later age, and therefore have only a secondary value as historical accounts

*(1) Ancient Laws, p. 59

*(2) The Patriarchal Theory. 

of the primitive Hebrew institutions. Moreover there exists a well marked tradition in support of the patriarchal family, having existed among the Israelites*(1) Beginning with Abraham the founder of the Hebrew race, with his army of three hundred and eighteen soldiers, his own family (Gen.14:14) and running down to the early history of Samuel. Boaz reaping with his slaves (Ruth 2:4) and Abigail consulting one of Nabal's servants for advice in order to appease the wrath of David (1 Sam.25:14) are fine pictures of simple patriarchal life. Moreover, there exists in these early Biblical narratives a strong apology for slavery. We shall defer discussion of it until we come to deal with the section on the religious arguments in defence of this institution.

When we turn to Greece, we find the Homeric Kings reigning in patriarchal style. "The Homeric epos" Dunning claims "could only have taken shape in a patriarchal regime" the chiefs of Ithaca ruled in great splendor, *(2) and slavery is fully established at this period. The estates of the wealthy were tilled and their cattle tended mostly by bought slaves; the work being directed by servants who had the fullest confidence of their masters. *(3) War and piracy appear to have been the chief sources of supply for slaves. (Ody.15,385). In Homer, there is seen that same intermingling of the different ranks, and simplicity of manners that was noticed among the Hebrews. Emmaeus and Philoetius discoursing with Odysseus (bk.15,385) Helen and Phenelope weaving and making garments with their female slaves (Ody.6,131;19,235).

At Rome, during the regal period, there appears to be an intimacy of relations, existing between the different elements of the household, characteristic of patriarchal life. Tho' slavery was firmly established, the slaves were few in number sat at the table with their masters, and were treated with consideration. *(4) ~~Monarchism~~ ^{Romanism} held, all that could be classed as the patriarchal element rested upon the same foundations as it did in Greece, with this difference that the rigorous development of martial, and still more of parental authority was a feature foreign to the Greek and purely Italian. *(5)

Finally, all patriarchal regimes appear to have rested upon a religious basis, whether Semetic or Aryan, and the father was spiritual head as well as physical ruler. *(6) On a whole the slavery of legendary times does not present itself as having

*(1) Vide Mamie Ancient Laws, p.122

*(2) Grote, Hist. of Greece (2nd ed.) V.2, C.20, p.148.

*(3) Ibid. p.132, & Ody.14,100;4,636.

*(4) Muirhead Rom. Law, pt.1, Sec.9, p.34.

*(5) Hist. of Rome v.1, pp.30,72 ~~et~~.

*(6) Grote, op. Cit. p.85, Gen.17:23.

existed under harsh forms. The different classes then lived pretty much on a level in matters of opinion, sentiment and knowledge. Slavery was a calamity that might befall anybody. The chief on a free-booting expedition, if successful, brought home a supply of slaves, if he failed, would likely be made a slave himself. *(1)

The features that appear to justify the existence of this primitive form of slavery have nearly all been anticipated in our opening chapter. The following points are based on the notes of Horace Greeley and Prof. McCurdy. *(2) First, the home of the patriarch if he be stationary or his tents if he be Nomadic afforded an asylum to the refugees and destitute from the region round about him; the hunted survivor of the bloody feud, the homeless wanderer or helpless female might betake themselves to his lodge, and humbly solicit his permission to earn food and shelter by tending his flocks or herds or any service to which their capacities were adequate. In the second place, as noted in the previous chapter, habits of industry would be gradually acquired; the weak and poor under pressure of want would be compelled to seek the shelter of the patriarch who in turn would take them under his protection because of inducements offered in the way of service. Thirdly, and doubtless the chief benefit arising from this primitive type of servitude was that it provided a means of escape from the barbarous custom of disposing of the vanquished enemy by immolation. Hard as might be the fate of the ones who in this age were compelled to consign themselves to perpetual service, and often into the hands of a despotic power, it was infinitely better than a barbarous death, starvation, or vagrancy. And it is reasonable to suppose that the harsher features of the lot of these dependents were to a great extent mitigated by the tie of religious kinship existing between the various elements of the family. Finally, in the connection just noted Prof. McCurdy points out an important benefit arising from slavery among the Hebrews during their early settlement in Canaan. Viz., that it afforded a means of assimilating the heterogeneous peoples of the land. These scattered peoples were enslaved; and after submitting to its religious rites were adopted into the family they happened to serve. Thus only was the work of assimilation made possible. In a primitive society of this description, the family might be the union of its off-shoots form the nucleus of a tribe; and this be followed by the union of several tribes to form a nation.

*(1) Grote, op.Cit.p.132.

*(2) American Conflict, V.1,p.24; Hist.Proph.and the Monuments V.2, Sec.544 ff.

CHAPTER III. THE GREEK DEFENCE OF SLAVERY.

- (a) Slavery firmly established in the heroic age; our study to be confined to Athens. Conditions under which slavery existed in Attica,- slaves for the most part barbarians; various ways in which employed; treatment of.
 - (b) Defence of slavery; Xenophon, Plato, Aristotle, the Stoic and Epicurean attitude to; the attitude of the poets.
 - (c) Criticism of the Greek defence:- Greek opinion regarding the use of slave labor; criticism from the economic, intellectual political and moral view-points.
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In taking up the study of our subject in historic Greece we shall confine ourselves almost entirely to Athens, which offers the best field for investigation. In the Heroic Age we found the institution of slavery firmly established on Greek soil; in the Historic Period it had come to be regarded, by even some of the best thinkers, as a necessity of nature. So firmly had it impressed itself upon Greek institutions that poets, dramatists and other literary men weave it into their productions, and give it the sanction of the gods. In the poetic lore of the country, Appollo serves as the slave of Admetus, as a penalty for the murder of the Cyclops (Eurip., Alcestus, 1.2) And Herculeus sold to Omphale, a barbarian, completes a year in his service. Enraged at this indignity, he seeks revenge upon Eurytus whom he looked upon as the cause, and taking an advantage of Iphitus, his son, while his eye is turned in another direction, hurls him from a towering height. Jupiter, incensed at this cowardly trick condemns Hercules again to slavery. (Aesch. Agam. 1020 ff.) *(1)

The Athenian slaves appear to have for the most part, been acquired by purchase and were as entirely at the disposal of their masters as any other goods or chattels. These were the douloi proper. *(2) According to Greek law those who were taken prisoners in war became the property of their masters. *(3) The Chians seem to have been the chief slave dealers, and special markets were arranged at the first of every month for the sale of slaves at Athens. *(4) However, those taken prisoners in the many wars between the Greek states might recover freedom on payment of a ransom. Consequently slaves in Athens were for the most part barbarians. Other important sources of supply were:- piracy, (then regarded as an honourable profession), birth; children of

*(1) Cited from Cobb. Introd. to Negro S., p. 59.

*(2) Callastr. Ap. Ath. 6, 2, 31.

*(3) Xen. Cyr. 7, 5, 73.

*(4) Thuc. 7, 40; Pellux 3, 78; Asistoph. Eq. 43 with Schol.

slave parents became slaves, and debt: freedmen and metics (resident foreigners) who failed to discharge the obligations imposed upon them by the state, were sold, as were also foreigners who had fraudulently possessed themselves of the rights of citizens. *(1)

Nearly every kind of work was performed by slaves; they were employed for household service, for work in the fields or at some trade, or were hired out to work for others. After the Peloponnesian war the landed proprietors resided at Athens, and the rural husbandry was in the hands of slaves. They were employed very extensively in the mines. Nicias had a thousand men hired out to work in the silver mines. Hipponicus had six hundred and Philemonides three hundred, employed in the same way. *(2) They were also used in the manufactures. The father of Demosthenes had a knife-factory and employed fifty slaves. These appear to have brought good financial returns. *(3) Then there were the public slaves; those attached to the temples, and those employed for military purposes; besides a number of other uses to which slaves might be put.

The slave population of Athens has been variously estimated by historians - 350,000 is the figure most frequently given, a number about three times that of the free citizens.

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- With regard to the treatment of slaves; it appears to have become more inhuman both in Greece and in Rome in proportion as their number increased. However, the lot of the Athenian slave is generally regarded as a happy one compared with that of the slaves in other states. It was a common reproach against the Athenians that their kindness to their slaves degenerated to a weakness. Nowhere were slaves so indolent as at Athens. It was claimed that they would not even give way for the free citizens on the street. *(4) There was one respect in which their condition was worse at Athens than at Rome, - not only did manumission take place less frequently than at Rome, but the position of the manumitted slave was also inferior. At Athens he stood as a client in relation to his former master, whom he was obliged to honour on pain of forfeiting his freedom. *(5) However, the Athenian slave was not without legal protection. He could take action for personal damage like a free man. On just grounds of complaint against his master he could demand to be sold; and was afforded a refuge in the temples from cruel treatment. *(6)

*(1) Ingram, Hist. of S. p. 16.

*(2) Xen. On improving the Rev. of Ath. 4.14, 15.

*(3) Demos. against Aphob. 1:60 ff; Xen. op. cit. 4:4, 5.

*(4) Xen. Gov't. of Ath. 1:10-12.

*(5) Plato, Laws 9, p. 915.

*(6) Pollux. 7:13, Aristoph. Eq. 1312 with Schol.

-:13:-

Having briefly set forth the conditions under which slavery existed in Attica, we are now in a position to examine the defence of it. In setting forth that defence we shall dwell particularly on the arguments of Xenophon, Plato, and Aristotle, as being representative of Greek thought.

In the various passages in which Xenophon pleads for an extension of slavery he seems to have chiefly in view pecuniary considerations *"Ἀπὸ χρημάτων ἀνάγκη τοῖς ἄνδρα-
ποδοῖς δουλεύειν."*

(Gov't of Ath.1:11) With the increase of commerce and industry, - the manufacturers were confronted with a demand for labor that could not be met by the free population, slaves were therefore indispensable. Xenophon urges the fair treatment of the slaves "because the Republic requires the aid of aliens, on account of the multiplicity of her arts and the exigencies of her naval service. *(1) If a few slaves are profitable then the logical inference is that the profits will be increased by adding to that number." The greater number that are employed, the more gain will they bring to the state. Not only the profit from the slaves would increase the resources of the city, but a vast number of people would collect about the mines, there would also arise a great income from the market held there, from the rent of the public buildings around the mines, from the furnaces and all other sources of that kind. Our city too, if it be thus supported will become extremely populous, and the land about the mines will grow as valuable to those who possess it there as to those who have it around Athens." *(2) These passages are fair examples of the attitude shown by Xenophon to the institution of slavery.

Plato's deep-rooted contempt for the slave class seems to prevent him from expressing himself as clearly on the subject as Xenophon did. In his "Ideal State" he scarcely mentions them as a class. However, by implication at least, he held the absolute necessity of slavery, since the bread winning pursuits were not consistent with true culture. *(3) His contempt for the slave is shown in his condemnation of their brutal treatment on the ground that the truly educated man dispises them too much to be angry with them. *(4) In consistency with this attitude Plato condemned the slavery of Hellenes. (Rep.5:469) In common with Aristotle he held that some men were superior to others in respect to natural endowments and claims, that: "the justice of the city consists in each citizen discharging his proper function, that for which he is best fitted by nature that each citizen do his work (man, woman, freedman, slave &c,

*(1)Ibid.;also Rep.of Ath.c.12; & Decon.9:12.

*(2)On Improving the Rev.of Ath.4:32,49,50.

*(3)Laws 7:806; Theael:172; Rep.4:433.

*(4)Laws, p.777.

doing his or her own work") (Ibid.4:432).

In his Laws, Plato more explicitly asserts the necessity of slavery. He enacts respecting one who has been a slave and has been manumitted, that such freedman (*ἀπαλλαγέντος*) if he omits to pay properly to his manumitter may be laid hold of by the latter and re-enslaved (Laws 9, p. 915). Again to present the danger resulting from having too many slaves speaking the same language together and for the safety of the masters he recommends that natives from different countries should be mixed and that they should all receive kind treatment (Ibid. p. 777). And with regard to discipline slaves ought to be punished as they deserve, and not admonished as if they were free men, which will only make them conceited (ibid).

Aristotle in his defence of the institution of slavery no doubt was influenced by both Xenophon and Plato. The former insisted that the rule should be so exercised as to win willing obedience from the ruled, and seems to anticipate, Aristotle in showing how the master might develop virtue in the slave. While Plato pointed to the man in whom there is a natural weakness of the higher principle, as a being designed by nature to be enslaved to another who can supply that deficiency. *(1) This theory of natural inequality no doubt arose from the superior attainments of the Greek to that of the surrounding nations, and to their marvelous advance in Art, Letters and Philosophy. Newman claims that: "the (slave) system was undergoing a rigorous examination (during the age of Aristotle) and that, apart from the movement of philosophical opinion, much had happened and was happening every day in Greece to suggest doubts in the minds of men respecting the institution of slavery". *(2) Hence Aristotle tells us that some contend that the distinction between slave and freeman is a fact only of convention and not of nature, and that it is rooted not in justice but in violence (Pol. 1:3). In order to meet this condition, Dunning points out, that Aristotle presents the first scientific discussion of slavery in extant literature. *(3)

Aristotle recognizes as the constituent elements of the household the relations of husband and wife, master and slave, and treated one relation as equally necessary and natural with the other, the master's intelligence and slave's bodily strength being mutually complementary and necessary as the union of male and female is indispensable for the purpose of reproduction. There are ^{those} whose high endowments of reason fits them to command and direct, and those whose slight endowment fits them only to comprehend and carry out orders. The former are by nature masters

*(1) Xen. Oecon. -:12; Gov't. of Ath. 1:11; Plato Rep. c. 4.

*(2) Pol. of Aris. V. 1, p. 140.

*(3) Pol. Theories Ancient & Mod. p. 58.

and the latter are by nature slaves (*Pol.*1:2) the naturalness of the rule does not depend on its being of the highest type, but in its adjustment to the interval between ruler and ruled. If there are human beings who are so far superior to others as the body is to the soul, or as the lower animals are to man, then the relations of rule which obtains between body and soul and man and the other animals would be properly applicable to them, and will be natural and for their good. This is the case of the human being whose best function is the use of the body. In their case slavery is advantageous and just. (*Pol.*1:2-5) Hence slavery rightly constituted is not a one-sided bargain for the slave at all. The natural slave has not the part of the soul which is necessary to make moral virtue complete. He gains therefore, by being linked to some controlling force possessing that which he lacks (*Pol.*1:5-6).

In short Aristotle undertook to discover a natural basis for slavery, combat the view that it was merely the work of arbitrary convention, and justify it in the interest of the barbarian slaves. It must be observed, however, that the slavery which Aristotle defends is an ideal type, and can only exist where there is natural intellectual inequality between master and slave. Its *raison d'être* being to make a noble life possible for the master, and if the master could not or would not live such a life slavery failed to achieve the end of its existence.

It is a more difficult matter to sum up the Epicurean and Stoic attitude to slavery. These schools lived in an age of political uncertainties and there was a natural reversion from a spirit of boundless hope and thirst for worldly conquest to a position which accepted certain limitations as inevitable. The ideal sage must above all be independent of the world's fortunes, i.e. he must be master of his own emotional life for it is through his feelings that a man is at the mercy of external events. The Epicureans sought this peace of mind in the pursuit of the calmer pleasures, and would naturally have no scruples against an institution such as slavery which ministered to their own indulgence and tranquility. The theories of neither of these schools appear to have taken definite shape until the days of the Roman dominion. Hence we shall turn to the writers of this later period for an expression of opinion on slavery. Horace, writing on "The Praises of a Country Life" says:- "Amid these dainties, how it pleases one to see the well fed sheep hastening home! to see the weary oxen with drooping neck, dragging the inverted plough-share! and the slaves, the test of a rich family, ranged about the smiling house-hold gods! (Epode 2:40). The Stoic is still more independent of external

-:16:-

circumstances, the condition of freedom or slavery is merely a thing of accident. It is a man's duty to be governed by reason in his own conduct and to subordinate himself to collective reason and to the course of the world over which it presides. His attitude to slavery is anticipated by Sophocles, who says:
ἔτι σῶμα σκλάβου, ἀλλ' ὁ νοῦς ἐλευθερός.

(frag. incert. 22) and "liberty"

Epictetus held: consists in having no desires. To be able to say from the heart,

Conduct me, Jove and thou O Destiny,

Wherever your decrees have fixed my lot. *(1)

The bearing of such reasoning in respect to the attitude of these schools to the institution of slavery is too obvious to need comment.

The poets of Greece, particularly the authors of the new comedy exhibit a more humane spirit towards the slave class. Euripides, foremost among these entered the lists in defence of the equality of human beings. He is never tired of recording the fidelity of slaves towards their masters, their sympathy in the hour of trial and gratitude for favors shown. *(2) We cannot better point out the noble spirit he ascribes to the slave than by quoting at some length the following fine extract from his Helena:-

"He is base who reeks not of his master's weal.

Rejoicing with him, sorrowing in his pain,

Still may I be, though I be bondman born,

Numbered among bond servants noble souled;

So may I have if not the name of free,

The heart: for better this is than to bear

On my one head two ills - to nurse base thoughts

Within, and do in bondage others' hosts." *(3)

The following verse seems to be even a more direct denunciation of slavery:-

"The name alone brings shame upon the slave" *(4)

Yet it is scarcely conceivable that this modern minded man should entertain thoughts of uprooting an institution, so deeply woven into the life of his times, as was slavery; for, even he is credited with the following: "Let the alien serve the Hellene; they are bondmen, we are free." *(5)

*(1) Discourses 4:1, 14.

*(2) Vide Hellen 728, Frag. Melan, 506; Orest. 869.

*(3) 1. 711 ff.

*(4) Ion., 854.

*(5) Iph. in Aul; 1400.

Criticism of the Greek Defence.

It is extremely difficult, with the limited space at our disposal, to give a just estimate of Greek opinion on the question of slavery. It may seem a strange puzzle to us that a people prizing liberty and freedom of speech so highly as did the Athenians, and possessing a civilization, which in many respects, was equal to any civilization found in modern times, should see no wrong nor nothing unreasonable in slavery. "That they did not" Tucker says, "is beyond all doubt. Never were minds more free from cant and pretence than the minds of the Athenians, and particularly those of Socrates, Plato, and Aristotle, yet not one of these declares against the institution. If they had unequivocally thought it wrong, they would have unequivocally said so". *(1) In order to be fair, to the Greeks, in our estimate, it is necessary that we divest ourselves of all preconceived opinions arising from associations connected with Modern Slavery, and try to think ourselves back into pagan Athens and forget for the time being that we are living in a modern civilization, at least, nominally Christian.

On the one hand, it is true that slavery in Attica was in many respects like its modern descendant of Colonial times. As we have already noticed, the majority of Athenian slaves were imported from alien peoples and from the lower civilizations of Asia Minor, in a manner much as the Portuguese and English carried negroes from the Coasts of Africa to their colonies in America. And again that the circumstances under which Athenian slavery existed was a marked departure from the earlier and more innocent form seen in the patriarchal age. On the other hand, the deep lines of demarcation separating the modern slave from his master did not exist between the Greek slave and his master. For one thing, that great racial repellant - difference of color was not present. As Tucker asserts: "The Greek slave was commonly a white man: he was a servant in the unhappy and indefensible position of compulsory, not free, servanthship." *(2) This position was not so degrading as it might seem to modern minds. As we noticed above *(3) Greek slaves were not without legal protection, They could not be punished by death without the sanction of the law courts, in the case of ill treatment they might flee to the temples for refuge, and they could demand release from a cruel master. Socially there was little to distinguish them from the free Greek citizens *(4) The writer on the treatise on the Republic of Athens, remarks: "If it were permissible to strike an unknown slave, metie, or freedman there would be great danger of striking a free citizen unawares" so little was the difference in dress between freeman and slaves *(5) One most potent factor in removing any scruples which might

*(1) Life in Ancient Athens, c.4, p.44. *(4) Xen. Gov't. of Athens 1:10-12.
*(2) Op. Cit. p.42 *(5) Gomperz Greek Thinkers II, p. 16
*() Pollux 7:13; Aristoph Eq. 1312, with Schol..

be entertained by the Greek mind in regard to slavery, was his strong national conceit. This element which appears so prominent in the writings of Plato and Aristotle, and which has been styled by a certain writer on Greek life, as an "everlasting disturber of true reason".

Note:- Aristotle bases his defence of slavery on the argument that there are certain individuals, presumably barbarians (Pol.1:2) who are naturally lacking in intelligence, and hence, are justly placed under the direction of another possessing that intelligence which they lack. But the very differentia, which distinguishes man as man, is the presence of reason and if he possesses reason he is capable of self-direction, and freedom is the only condition under which a man can give expression to his will. "prevent him" remarks Barker "(if it were possible) from using his body to express a will and the will itself could not become a reality: he would not really be a person". *(1)

This was no doubt due to the superior natural attainments of the Greeks to that of contemporary peoples. Its moral effect Gompertz remarks resulted in "Greek international morality falling into two sharply separated divisions, according as it concerned the relations of different Greeks to each other, or of the Greeks to the outside barbarian world. In the latter case self interest was allowed practically uncontrolled sway; *(2) Their right to dominion over the barbaric races does not appear to have been seriously called in question. It is easy to see what the practical working out of this doctrine in the case of slavery, would be, Had not this institution the sanction of immemorial custom, and would not its abolition be a complete break with the past? Taking all these facts into consideration, a plausible defence might be advanced for slavery.

We shall next inquire what slavery actually did for Athens? To what extent did it necessarily contribute to the making of the Greece of the Periclean Age, and to the production of an imperishable art and literature during the period immediately following that age? That the Athenian ascendancy was in a large measure due to slave labor cannot be doubted; that there were other causes which contributed to the splendid success of Athens, partly political and partly economic, is equally true. As, for instance, natural advantage of position, the growth of commerce due to the protection of her navy, and the quickened national feeling occasioned by the Persian War.

Xenophon may be taken as the representative defender of slavery on economic grounds. The ever increasing demands of artificial wants during the period of Greek history with which we are dealing, made corresponding demands for labor, and since this could not be

*(1) Pol.Tho't.of Plato & Arist.p.367

*(2) Greek Thinkers V.2,p.19.

met by free labor slaves became a necessity. Menophon has this in view when he lays down rules to regulate the conduct of the Greeks in the purchase and treatment of slaves. *(1) Commerce, it must be admitted is an important factor in the general advance of any people. Among a noble people, commerce may mean more than a mere thirst for gain. The sight of products from distant lands, the diffusion of knowledge that results from coming in contact with peoples diverse in customs, language, and habits no doubt stimulates in men a spirit of inquiry and strengthens the mind. In support of this we find that the Golden Age of Greece from an intellectual view-point, synchronized with her commercial prosperity as did that spirit of adventure which led Englishmen westward in quest of gain coincide with the glories of the Elizabethan era. How much of this commercial prosperity may necessarily be attributed to the slaves of Athens cannot be estimated. But it must be remembered that much of the work done by machinery at the present time was necessarily performed by slaves in ancient times. And as we noticed in the opening part of this chapter, every description of work was performed by servile labor, and slaves were employed to a great extent in the manufactures and in the mines. Further this extensive use of servile labor would place more time at the disposal of the free citizens which could be advantageously employed in carrying on commercial negotiations and in the general promotion of trade.

That the existence of a slave class contributed (indirectly) in a marked degree towards the intellectual advancement of the ~~Greeks~~ ^{Greeks} is quite evident. The proud Aristocracy of Greece held that leisure was absolutely necessary to the attainment of the noble life. And we find that this demand for leisure among the ruling classes, really forms the background of Aristotle's defence of slavery; it is also implied in the attitude of Plato towards this institution. They, in common with the Greeks of their time held that manual labor was incompatible with true culture. *(2) This leisure as Mahaffy points out: "was the leisure of active and busy not idle and lazy men". *(3) And in that age was only made possible by the existence of a large slave class to do all the drudgery of life. Only by the existence of such a class could the dominating element have time to devote to the higher pursuits of life. It is difficult to estimate the negative value of this leisure in the case of men who desire to keep a fine edge on their aesthetic faculties. When all the menial work was performed by slaves, the poorest citizens could enjoy in some respect the position of an aristocrat, and more important he had time to devote to the development of his intellectual faculties.

Oecon.

*(1) Gov't. of Athens 1:11; ~~Arta~~ 9:12; Rep. Athens. c.12.

*(2) Aris. Pol:3:5; Plato, Laws, 7:806; Theaet; 172. Rep. 4:433.

*(3) Social Life Among the Greeks p.441.

Finally,

(Note)- The problem of inequality among the various classes of society still presents some knotty questions. Plato and Aristotle held that there was work of a high intellectual type side by side with lower grades of work to be performed in the State, and that there were men born to do the lower work as well as others fitted for the higher. *(1) This theory formed the starting point for some modern proslavery theorists. For instance, Calhoun of South Carolina held that "The advance of human civilization depends upon the inequality that exists among men, and that there must always be a front and rear rank in the onward progress of humanity". (Works, l.p.57) It is difficult to get away from this belief if we are to retain faith in the justice of society. We, of course regard this fact of social inequality from a different view-point than that of the Greeks/ And have not the contempt for manual labor which is inseparable from a society based on slavery. Further, among us, every kind of work receives remuneration: and under a free labor system the man who is born among silver men may rise to a position among the men of gold if he be golden within, much more readily than is possible in a society where the lines of demarcation among the classes are more marked and inflexible. (Vide Barker, Pol. Thought of Plato, & Arist. pp.370-73).

Finally the age of Pericles was the golden age of Athenian democracy, the leisure afforded by slave labor permitted the free citizen to take part in the affairs of the State and listen to the political discussions in the Athenian Ecclesia. Freeman gives us a glimpse into the Pnyx where the Athenians "listen to the contending orators, listen to the ambassadors of distant cities; listen to each side as it is fairly hearkened to, and see the matter in hand decided by the peaceful vote of thousands. (2)

That this general advance in intelligence also reacted on the barbarian slaves among the Greeks, must be true to a certain degree at least; and that they gained by being united to a people possessing the intelligence in which they were lacking also follows. But might not the same results have been reached without the institution of slavery? This question is partially answered by the fact that other higher civilized peoples have developed without the assistance of this system. For example China, which appears to never have had an extensive slave population. Moreover, the moral evils connected with slavery are very great. That these evils are inseparable from a social system based on slavery is admitted on all sides. We shall deal with these more fully in the following chapter on Roman Slavery; and shall merely call attention here to the dangers of absolute rule; the opportunity it affords for individual caprice to exert itself; the corrupting influence of slavery when it penetrates to every department of daily life, and the constant facilities for libertinism.

*(1) Plato Rep.4:433; Arist:Pol.1; 2 & 5.

(2) *Comparative Politics, Lect. ii.*

-:21:-

"The injurious influence"Blunner remarks,"of this part of the popula- were chiefly barbarians, was felt in many different ways." *(1)¹
It requires no lengthy process of reasoning to prove that the moral fibre of a people consisting wholly of sturdy free citizens is of a much higher type than that of a society, the majority of whose members belong to the servile class. And though the disastrous results of slavery are not so marked in Greece as in Rome, yet, we can unhesitatingly affirm that her speedy fall from her high social and political position, and the pathetic picture she offered under Roman rule, may, among other causes, in a large measure be attributed to the institution of slavery.

CHAPTER IV.

ROMAN SLAVERY.

- (a) Few slaves in the regal period; elements in the organization of Rome which were destined to lead to a widely extended use of slave labor.
 - (b) ~~No~~ The apology offered until the rise of the Cosmopolitan and humanitarian movements; statements of Cato, Varro, Horace and other regarding slavery; the tremendous extent to which slaves came to be employed.
 - (c) Attitude of the Stoics, the jurists, the code of Justinian towards slavery.
 - (d) Criticism of the Roman endorsement of slavery: The anomaly of a liberty loving people endorsing a system that was practically the abnegation of all liberty; the economic, moral and political effects of Roman Slavery.
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Slavery did not prevail to any considerable extent in Rome during the regal period and the early years of the Republic. Consequently, it occupied a comparatively insignificant place in the political and domestic economy of the country. In the organization of Rome, however, there were elements whose fruit must eventually lead to an extensive use of slave labor. These elements were, the spirit of conquest, the unlimited paternal power, and the Roman genius for organization. The rapid extension of the Roman dominions, the increase of properties in the hand of wealthy patricians and the prolonged absences of citizens both increased the demand for and augmented the supply of slaves. The surrounding nations as they bowed their heads before the Roman eagle yielded at the same time their beauty and their sinew to satiate the appetite and perform the labor of the conqueror.

Prior to the influence which began to be exerted by the cosmopolitan and humanitarian ideas of the philosophers, there appears to be nothing which might be classed as an apology for slavery. The existence of this institution was accepted as a normal element in society something which the Roman would be as likely to think of apologizing for as for the possession of his cattle. Apart from the thought given expression to by the movements mentioned above we have merely isolated utterances, that cannot be classed either as an apology for or a defence of slavery. For instance, both Cato and Varro declare their preference for the employment of slave labor in most operations,*⁽¹⁾ Towards the end of the Republic it was considered reprehensible not to employ slaves for every kind of work. The first question asked respecting a man's fortune was : "Quot poscit servos" (Jur.3,141) Cicero in describing the meanness of Piso's housekeeping remarks:

*Idem coquus idem atriensis: pistor domi nullus." (In Piso.27).

*⁽¹⁾Cato 5:4; Varro 1;17,2.

And Horace appears to consider ten slaves the minimum for one in tolerable circumstances to keep. He charges Tullius with sordidness for being attended by no more than five slaves while going from his Tiburtine Villa to Rome. *(1)

Meanwhile, the employment of slave labor was carried on in a tremendous scale. With the ascendancy of capital the demand for this kind of labor increased. Captives taken in war and hereditary transmission no longer sufficed to meet this demand; methodically prosecuted man-hunts were instituted; no country where this species of game could be found was exempt from the raids of professional slave-hunters and slave-dealers. *(2) Slavery in Rome differed from that of Greece, where the slaves were for the most part recruited from the barbarian world. At Rome the slave might be in no respect inferior to his master, and was often intellectually his superior. Hence, we find slaves filling every kind of industrial and literary pursuit. *(3) Only the Roman genius for organization can explain the incredible numbers kept in the houses of the rich and noble as servants and attendants. Athenaeus, as quoted by Gibbon (1.51) makes the bold assertion that he knew many Romans who possessed, not for use, but for ostentation, ten or even twenty thousand slaves. Four hundred slaves were maintained in the house of Pondonius Secundus, prefect of the city. These were all executed for not preventing their master's murder. *(4) It is estimated that during the reign of Emperor Claudius there were over twenty millions of slaves in Italy alone; and Gibbon informs us that at that period there were about sixty millions of slaves in the Roman world. *(5) Many of them were employed in the most heartless manner. For instance, vast numbers were used in the cultivation of large estates, often branded with iron and with shackles on their legs, laboring during the day, under overseers, herded together at night in common and frequently subterranean prisons. During the days of the Republic the slave had no personal nor political rights; nor was his situation much improved until the time of Hadrian and Antoninus, who by the issue of edicts did much to ameliorate their condition, by abolishing the private power of life and death, long exercised over the slave, doing away with the subterranean prisons, and granting other forms of protection to this abject body of mankind. *(6)

*(1) Sat. 1.3, 12 and 1.6, 107.

*(2) Mommsen, Hist. of Rom. V. 3, c. 2, p. 305.

*(3) Cicero, Offices, 1.42, 150.

*(4) Tacit Ann., 14:42, 43.

*(5) The Decl. & Fall. of the Rom. Emp. V. 1, p. 61.

*(6) Gaius, Comm. 1.9, 52, and 53; also Gibbon op. cit. p. 60; and Coopers Justinian p. 411.

*:24:-

The foregoing paragraph shews how universal slavery had become and to what extent it came to be woven into the social fabric of the Empire. We shall now notice the stoic attitude to this institution for the earlier view held by Aristotle, of the natural inequality of human nature, stoicism came gradually to substitute the theory of natural equality. The one distinguishing mark of man "reason" is common to all. The slave is of the same nature as his master; and virtue can be attained by all. *(1) Even the slave was a man deserving of esteem and able to claim his rights *(2) However, the Stoics did not go so far in their recognition of the universal rights of mankind as to disapprove of slavery. Attaching in general little value to external circumstances, they cared the less to run counter to the social institutions and arrangements of their age. (Epict.4.1,14).

The influence of stoicism is strongly marked on the philosophy of the Roman jurists. In their philosophy (jus) rather than law (lex) appears to have been the basal concept; and the character and content of the jus naturale was elaborately determined. Slavery seems to have been the chief, if not the only, instance of an opposition between the jus gentium and jus naturale.

Note,- Considerable ambiguity arose over these terms, the "jus gentium" and the "jus naturale" Austin termed the jus naturale Ulpian's law of nature? He remarks that: "Slavery in certain passages of the classical jurists, is said to exist jure naturale or jure gentium: for the institution of slavery was common to all nations with which the Romans were acquainted. But in other passages, it is asserted that all men are naturally free, and that the institution of slavery is repugnant to the law of nature. This can only mean that it is repugnant to the standard to which in the writer's opinion law ought to conform. *(3).

That slavery was contrary to the law of nature is repeatedly stated *(4). It was; however, undoubtedly a constitution of the jus gentium *(5). In some manner these came to be regarded as identical *(6). The jurists came to defend slavery on the grounds that "the slave is he whom the conqueror in battle preserves (severe) *(7) In theory Gordon observes, universal reason was the source of rights, but in practice the will of the prince made law. The practical working out of these theories left no doubt as to whether universal reason or princely will took precedence. *(8)

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- *(1) Seneca, De Ben.c.3, also Dunning, Pol.Theories Ancient & Mod.p.
*(2) Cic.De Off.1.13. 104.
*(3) Jurisprudence (Campbell's edition) V.2,p.54,sec.822.
*(4) Just.of Just.1.3,2; Florentius,in Dig.,1.5,4.
*(5) Gaius, Comm.12,6,64.; Ulpian,in Dig.1,1.4.
*(6) Austin,op.cit.V.1,p.112,sec.184.
*(7) Just.of Just.1.3,2; Compare Xen.Cyr.7.5,73.
*(8) Rom. Law.p.5.

The code of Justinian, though compiled over two hundred years after Christianity had become the religion of the Empire and at a time when the slave system had been much modified, yet, very clearly sets forth the line separating the free man from the slave. His code is little more than a copy of the commentaries of Gaius with certain modifications. The institution of slavery is clearly set forth in both codes under the law of persons. The primary condition of the law of persons was this that all men are either free or slaves. *(1) The following is the gist of the legal enactments bearing on slavery as found in the Institutes of Justinian:-

First,- under the Justinian code slavery was justified by the law of nations i.e. universal custom (1.3,2).

Second,- slavery originated through hereditary transmission or from captives taken in war. The prisoners of war were liable to death; from this death slavery saved them, i.e. though slavery in the first instance was the result of captivity in war, yet afterwards it continued to be transmitted to posterity. (1.3,4) and 1.4,1.) Justinian abolished certain other modes by which slavery could arise under Roman law, viz. (1) when a free woman had commerce with a slave; (2) When malefactors were condemned to the amphitheatre or the mines, the guilty parties were held by the law to be slaves, (3) one who had been manumitted and whose conduct to his patron was unseemly might be reenslaved. *(2)

Third,- any property which a slave might acquire by whatever means, belonged to his master (2.9,4;3,9,1).

Fourth,- nothing could liberate the slave but the will of his master, indeed the Emperor Antonine, (in the second century) decreed that the slave if unjustly treated should be sold to another, but he still remained a slave (1,8,2).

Criticism.

It was in Rome, relatively speaking that slavery found its most natural and legitimate place. The tremendous expansion of the Republic and endless wars, which were forced upon the Romans threw multitudes of captives into their hands, and it is difficult to see how these could be disposed of at this stage of history otherwise than by enslaving them; the abolition moreover of this institution without a complete political and social reconstruction of the state, would doubtless bring greater evils than did the existence of slavery. It was when the growth of wealth and the voluptuous habits of the people increased the demand for slaves to such a prodigious extent, that their natural increase, and the captives which fell into the hands of the Romans through the wars of the state (then less frequent) no longer sufficed to meet this demand, that the evils, which are inseparably connected with slavery began to appear in their most glaring forms. *(3)

*(1) Gaius, Comm.1.9; Just. of Just.1,3. - *(2) Sandars, Inst. of Just. p.15.
*(3) Inge Society in Rom. under the Caesars p.162 ff. and Mommsen
Hist. of Rom. V.3, C.2 P.305 ff.

We have already noticed that at this time no country was free from the raids of the slave dealer. Kidnapping was carried on to such a frightful extent in some of the eastern provinces that we learn they were no longer able to furnish their contingent of troops the population having been drained by the slave dealers. Horrible as it may appear to us, the traffic in slaves became an important part of Roman Commerce. As many as 10,000 slaves are said to have been sold in a single day at the great slave mart in Delos. *(1) In the most out-of-way places and even in parts of Italy persons were carried off without a shadow of right, and sold or shut up in the dingy ergastula, or slave prisons. Merivale remarks, that "The Empire became no more than an ergastulum or barracoon on a vast scale, commensurate with the dominion of the greatest of Roman slaveholders". Mommsen also asserts that: "It is very possible that compared with the sufferings of the Roman slaves, the sum of all negro suffering is but a drop" *(2) Tacitus, Pliny, Seneca, and Juvenal all write of the atrocious cruelty to which the slaves were subjected. *(3) How can we account for the strange anomaly of a people who on the one hand were so imbued with the spirit of liberty, that they expelled Tarquin because of his haughty bearing and established consular government by election, that as plebeians and patricians they engaged in endless contests for freedom and equality, and sacrificed the illustrious Julius Caesar on the mere suspicion that he sought to usurp kingly power, yet, on the other hand, endorsed this system of slavery which was the abnegation of all liberty?

The Roman's attitude to the institution of slavery, his callousness, cruelty and defective sensibilities may be attributed partly to his natural bluntness of character, and to the fact that he had become hardened by constant sights of human suffering; and partly to the characteristics of the age in which he lived, with its narrow conception of duty. Neither the sympathy nor the religion of the Romans caused them to recognize any duty to aliens and dependents. Conscience became the slave of convention and positive law. *(4) Pliny, one of the finest types of old Roman gentlemen, in a letter to Trajan unblushingly tells of having tortured two helpless female slaves, in order to extort evidence from them against the Christians (Ep. 10, 96) However, by an inexorable law, such gross injustice was doomed to react on its authors. And we shall now, briefly note some of the economic, moral and political effects which resulted from slavery among the Romans.

*(1) Mommsen, Hist. Rom. v. 3, c. 2, p. 305.

*(2) Hist. of the Romans under the Emp. V. 7, c. 68, p. 485. Mommsen op. cit c. 2, v. 3, p. 308.

*(3) Tac. Ann. 14, 42. 45.; Sen. Ep. 4, 8; Plin. Ep. 3. 14; Juv. Sol. 6.

*(4) Vide Inge, op. cit. p. 40

*(1) A happy, sturdy, patriotic peasantry is the mainstay of a nation; it is the chief source of a nation's wealth and affords the best material for an army/ But slavery is incompatible with the existence of a morally and physically healthy agricultural class. In Rome the wealthy land owners came to employ slave in preference to free labor, because the former could not be called away to military service. Agrarian laws were passed from time to time which were directed against large holdings, and against the employment of a greater number of slaves than of free laborers. But these were dexterously avoided and consequently brought no relief. The misery of small land owners was increased in proportion as the land fell into the hands of capitalists and slave grown cereals began to flood the markets. Especially did the Sicilian slave-grown corn supersede the products of the small holders in the Italian markets. The result was, that the small land-owners fell hopelessly into debt, and being unable to find employment, as hired laborers, they drifted into the towns to engage in pursuits which were anything but refining. Hence the majority soon sank into the mass of the rabble. As every sort of work was performed by slaves, the free artisans met pretty much the same fate as the peasantry. Commerce suffered the slaves for the most part derived no direct advantage from the exercise of skill and forthought, consequently could not be expected to take any active interest in that which did not profit them.

The effect of the above economic derangement on the morals of the people is quite obvious. A sound commercial and industrial life is conducive to morality. Business demands integrity, earnestness, and a display of mutual confidence. And the moral habits thus engendered cannot fail to beneficially influence all the relations of life both public and private. But the exercise of this morality was impossible, where the free artisan was driven from employment and the small holder from his farm, into the larger cities, by the invasion of the servile class; there to be supported by the free distribution of corn. The result was that the population rapidly decreased, and vice everywhere prevailed. All public spirit was destroyed, and liberty was carelessly bartered away for games and corn. Mommsen remarks "that everywhere the eye looked it encountered abuses and decay." *(2)

Finally, political success is inseparably connected with healthy moral and economic conditions. And as slavery was undermining the moral and economic life of Rome, disastrous results in

*(1) Information under this head taken from Ferguson, Hist. of the Mid. Ages p.23 ff.; Mommsen, Hist. Rom. V.3, c.2; and Merivale, Hist. of Rom under the Emp. V.7, C.68.

*(2) Op.cit.v.3, c.2, p.310.

the political life of the country were sure to follow. With the adoption of a more humane policy towards the slaves, the danger from servile wars passed away; but the baneful effects of this institution continued; all the more dangerous because more disguised. The general decline in the population produced serious results. According to the census returns the number of citizens capable of bearing arms was even less in 131, B.C. than at 600, B.C. *(1) This state of deterioration which may be dated from the second century B.C. continued for centuries, finally resulting with certain other causes, in the fall of the Western Empire. The Empire in its latter stages, was perishing for want of men.

Note:- Slavery was not the only cause of the alarming decrease in populations. We might mention for example the destructive plagues which periodically visited Rome. The Antonine plague in particular, which depopulated entire districts, so that forests sprang up in places once thickly inhabited. It is said that the ancient world never recovered from the plague which visited the Empire during the reign of Marcus Aurelius. *(2)

In the fourth and fifth centuries (A.D.) the barbarian invasions were carried on with more system and on a larger scale. When men were most needed the Empire was forced to resort to the barbarian world for her armies of defence. Merivale remarks that "the curse of slavery could not but make itself felt again, and demanded the destined catastrophe. Whatever evil we ascribe to the despotism of the Caesars, we must remark that it was slavery that rendered political freedom and constitutional government impossible. Slavery fostered at Rome, as previously at Athens, the spirit of selfishness and sensuality, of lawlessness and insolence, which cannot consist with political equality, with political justice, with political moderation." *(3) It must be noticed that here we have given the dark side of Roman slavery. Did space permit, many instances of loyal devotion to their masters and their interests, and of noble service might be recorded of slaves; as well as of kindness and forethought of masters for their slaves. However, we are compelled to admit that among the causes which contributed to the downfall of Rome this institution "slavery" (which had grown with her growth, and strengthened with her strength, until it had become incorporated into every fibre of her social and political existence) was one of the chief.

*(1) Ibid.

*(2) Baas, Outline of Hist. of Med. p.189.

*(3) Hist. of Rom. under the Emp. V.7, C.86, p.485.

CHAPTER V. Slavery and the Christian Church.

- (a) Puzzling attitude of the early Church towards the institution of slavery.
 - (b) The policy of the first Christian Emperor, Constantine toward slavery; decrees of the Church councils; slaves among the higher clergy; remarks made by Christian writers.
 - (c) Criticism of the Church's Attitude.
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The attitude of the early Church, in giving its sanction to slavery, has been a puzzle to many. It has been urged that the expectation of the early appearance of Christ to establish his Messianic Kingdom among men, led the early Christians to regard social conditions of but slight importance, since its members were (potentially at least) citizens of the Messianic Kingdom, all claim to earthly position was renounced, and an attitude of indifference maintained towards social distinctions.*⁽¹⁾ This, however, is at best only a partial explanation. And it probably, is more correct to say that the Church was influenced in her thinking and action (with regard to this institution, by the early environment in which she was placed. On the one hand, the Church started among the poor (the majority of its members consisted of the poor freedmen of the Empire), and those despised by the powerful. Consequently she had not the power to abolish slavery by legal enactments, did she so wish; and could at best direct her attention to the alleviation of the slaves' condition. On the other hand, the primitive Church was undoubtedly, strongly influenced by Stoic thought. "Liberty" Epictetus had said "does not consist in the enjoyment of the things we desire but in having no desires." *⁽²⁾ So the Church fathers taught after St. Paul, that the true slavery was the slavery of sin. And Chrysostom thinks that the Apostle does not recommend the suppression of slavery, lest men should lose an opportunity of seeing that noble liberty of soul could be preserved in the body of the slave (Hom. 11, On Acts *⁽³⁾ Moreover, the early Church as we learn from the correspondence of Pliny, and other sources, was anxious above all things to create the impression that its policy was not antagonistic to the existing institutions of the Empire *⁽⁴⁾ In fact the early Church does not appear to have at any time entertained the thought of abolishing slavery.

The policy of Constantine, the first- Christian Emperor, seems in some respects to have been even reactionary. He issued an edict against intermarriage with slaves, all the offspring of which must be slaves; and against fugitive slaves. *⁽⁵⁾ He also

*⁽¹⁾ Schaff. Encycl.; Art. Slavery.

*⁽²⁾ Discourses, 4, 1, 14.

*⁽³⁾ Ingram, Hist. of S. p. 67

*⁽⁴⁾ Pliny, Epp. 10, 96, 97.

*⁽⁵⁾ Cor. Jur. 1, tit. 13, 1 and 2.

gave the right to the parents of newborn children to sell them into slavery. This law was in direct opposition to the provisions of the old Roman code. It is claimed, however, that this decree was rendered necessary by the increasing misery of the times, and was adopted as an alternative against permitting children to perish from neglect and starvation. *(1)

A regular sequence of decrees were issued by the Councils of the Church, for the purpose of regulating the conduct of its members towards the institution of slavery. The Council of Gangra (A.D.341) threatened with the ban, everyone, who under the pretext of religion seduced slaves into contempt of their masters; and the Council of Chalcedon (A.D.457) in its fourth canon, on pain of excommunication forbids monasteries to harbor slaves without permission of their masters, lest Christianity be found guilty of encouraging insubordination; While the Council of Orleans (A.D.549) decreed that no bishop should presume to ordain any slave who had not received liberty from his own master, not even if he had been freed. *(2)

We further find slaves among the bishops and higher clergy of the Church. The papal household had its retinue of slaves, as we learn incidentally from the acts of a Roman Synod held in 501, in consequence of a dispute arising over the election of a certain official, when slaves were called in as witnesses, The barbarians also, had slave holding churches, and special provisions to protect their slaves. *(3)

There remains to be noticed, the opinions expressed by the Christian writers of the early and mediaeval Church. Ignatius enjoins "that slaves submit to their position for the glory of God, that they may obtain from God a better liberty. Let them not wish to be set free at the public expense that they be not found slaves to their own desires". (Ep.to Poly.c.4) St.Chrysostom remarks that slavery does not injure a man "Let every man abide in the calling wherein he is called. Hast thou been called, being a slave? Care not for it, continue to be a slave. Hast thou been called being in uncircumcision? remain uncircumcised. For those are no hindrances to piety. As circumcision profits not: and uncircumcision does no harm; so neither does slavery, nor yet liberty (Hom.on Cor.Sec.5). St. Augustine adopts the theory of the Roman jurists, that the slave is he whom the conqueror in battle has spared (severe), with the additional conception of slavery being a punishment for sin. God did not, he says, establish the

*(1)Ingram, Hist.of S.p.68; Schoff.Encycl.Art.Slavery.

*(2)Schoff.Hist.of the Nicene Ch.VI,p.117; Bishop Hopkins,Hist.of Slavery c.10,p.111.

*(3)Schoff.op.cit.V.1,pp.116; Also Milman, Latin Christianity V,1, pp.419,531.

dominion of man over man, but only over the brute. It arose from sin. Noah having given it to his guilty son Ham. And it will disappear with the passing away of sin. *(1)

St. Basil a bishop of the Eastern section of the Church shows undoubted influence of Greek thought. He remarks, that "By a wise and mysterious dispensation the worst children are by their fathers ordered to serve the wise and better; and this any righteous inquirer into the circumstances would declare to be not a sentence of condemnation, but a benefit. For it is more profitable that a man who through "lack of intelligence" has no natural principle of rule within himself, should become the chattel of another, to the end that being guided by the reason of his master he may be like a chariot with a charioteer, or a boat with a steersman seated at the tiller". Here is a position, which is apparently in harmony with the teaching of Aristotle regarding the advantage of a person of inferior intellect being under the rule of one who possesses the intelligence which he lacks. St. Basil, however, holds in addition to this, that as regards our relation to God, all created beings bear the same relation of subservience to the "Creator". *(2)

St. Thomas Aquinas admits with Augustine, the slavery introduced into the world because of sin, and with Aristotle, the form based on the difference of intellectual endowment "Society requires order, order implies inequality; and directive authority rests on divine sanction". (Rule of Prin. 2:10) *(3) The Mediaeval Church held views on slavery which were almost identical with those of the Patristic fathers. *(4) Hence it is not necessary that we should quote farther than to notice that she regarded it as a necessary evil resulting from sin, and a just punishment of sin. She put it in the same category with war, famine, pestilence, and other evils.

In the foregoing, we have called attention only to one side of the Church's teaching respecting slavery. It is therefore only fair to her that we should also call attention (briefly) to the more pleasing features in her attitude towards this institution, before venturing on any criticism of her conduct. The Christian Church created a sentiment in favor of the humane treatment of slaves, and in the teaching of her founder lay the seeds which were destined to produce emancipation. All men were brothers in Christ. Slavery was only an accidental external thing, which did not affect the moral worth. *(5) Christianity was service. And the Christians were never tired of calling themselves the (douloi) slaves of Jesus Christ. When Paul wrote his courteous epistle to Philemon, out of sympathy for the poor slave Onesimus, he undoubtedly sowed the seed which was destined to result in the emancipation of thousands.

*(1) The City of God cc. 14, 15, 19.

*(2) The Spirit of God, C. 20

*(3) Cited from Funning. Pol. Theor. Ancien. And Mod. p. 198

*(4) Schoff. Hist. Med. Ch. V. 1, p. 335.

*(5) Chrysostom, Hom. on Eph. sec. 2

Further, the manumission of individual slaves was strongly commended by the Church. Hermes, Prefect of Rome under Trajan, who embraced Christianity with his wife and children and 1250 slaves set them free on the day of their baptism, with sufficient assistance to enable them to gain a livelihood. Chromatius another Christian under Diocletian, freed 1400 slaves, with the remark that "Those who had God for their Father ought not to be the servants of man". *(1) Numerous other instances are mentioned of individuals freeing their slaves. *(2)

It is extremely difficult to give a just criticism of the attitude of the Christian Church (during her early and Mediaeval periods) towards slavery, so numerous were the influences operating to shape her conduct in regard to this institution. On the one hand, the Church was the lineal descendant of Judaism. And slavery had been recognized by Ancient Jewish legislation. The Jews too, had lost sight, in a large measure of the high ethical teaching of their prophets regarding man's duty to his fellows. And the principles laid down by Christ and his apostles, had as yet, only been partially recognized by the Church. Centuries must pass before the significance of their far reaching import could be grasped. On the other hand the Church grew up in the bosom of the Roman Empire, her teaching strongly influenced by Greek thought passed through the Roman mould. It was inevitable that her opinion regarding social institutions would be shaped to a large extent by her environment, the economic and social basis of which was slavery. This institution had not only the sanction of the laws of the Empire, but had also existed from immemorial antiquity. It is not our intention to defend the conduct of the Church, but we must remember her obscure beginnings and the centuries which were to pass before she had power to press remedial legislation. And that when she had begun to gather strength, even greater evils than slavery existed side by side with it, - calling for redress. Vice everywhere prevailed, the gladiatorial games were a most glaring perversion of morality. Slavery, in fact, as we have seen, was regarded as a divine instrument of discipline, necessary in a world where sin everywhere abounded. The Church, moreover, (for reasons which we have not space to discuss) had become extremely conservative. Any innovation was regarded with disapproval.

We have noticed the remarkable resemblance between Stoicism and Christianity, both had a high moral ideal and a broad cosmopolitan spirit, both were naturally opposed to the multiplication of slaves in wealthy families from motive of vanity; and both regarded slavery as an external accident which did not affect the moral worth of a man. But they differed essentially on several

*(1) Bliss, Encycl. of Social Reform p.214.

*(2) Ingram, Hist. of S. p. 67.

points, Stoicism attempted to check the natural emotions, Christianity guided and intensified them; love of mankind was with the Stoic a laborious duty; with the Christian it was the natural expression of his inner life; the Stoic regarded the slave with indifference, this was replaced in the Christian by a spirit of genuine sympathy towards this suffering class. *(1)

Finally, the following points of contrast are noticed between the primitive Church and the patristic fathers, and the modern pro-slavery section of the Christian Church. The former regarded the institution of slavery as a moral disorder, the latter held that it was fundamentally connected with man's real nature; the fathers recognized it as a human institution brought into the world by sin, the Modern Church attempted to prove it a divine institution; Masters in the primitive Church were taught to love their slaves as brothers and equals, the Modern Church justified slavery on the ground of the natural inequality existing amongst men. *(2)

*(1) Ingram, Hist. of S. p. 67

*(2) Augustine, City of God cc. 15, 19; Constit. of the Apostle bk. 4, c. 12.

PART II.

NEGRO SLAVERY.

Ancient slavery, the form we have hitherto been dealing with culminated with the Romans, was modified by Christianity, declined by almost imperceptible degrees into serfage and vassalage, and was verging to extinction when the second great period of slavery arose. The slavery of heathen negroes had been revived or re-introduced by Moorish traders, about the tenth century, and began to make its way among the Spanish and Portuguese early in the fifteenth. The African slave-trade was destined to become for two or three centuries, one of the most lucrative, and the most abhorrent branches of commerce known to the modern world. This second period was strictly marked by a commercial character. The slave was no longer an accident of war. He had become the object of war, to be sought out, hunted and produced to feed the avarice of man, and help fill the purses of even philosophers, statesmen and kings. *(1)

In the year 1441, Gonzales Baldeza in the course of a cruise along the African Coast captured ten natives and brought them to Portugal as visible evidences of his success. These were presented to the Pope. "The following year an association was formed for the express purpose of carrying on a trade in gold and slaves, the profits of which a share, was allotted to Prince Henry, who eagerly promoted the transportation of the wretched Africans". *(2) In 1497, the Portuguese began what was known as the "carrying trade" that is after supplying as many as were required to their own country, they transferred the slaves elsewhere. In 1502, they introduced a number into St. Domingo to supply the places of the unfortunate Indians, who were dying off from the effects of the severe labor in the mines. Around this nucleus, thus commenced, was gathered that immense trade for which Spain, Portugal, England and other countries for centuries contended. The demand for labor in America and in the other European colonies soon overcame all objections regarding slavery, and led to the defence of this system as a means of revenue, a Christian institution and a means of propagating the Christian Faith. In fact, the opportunity which the slave-trade afforded for converting the heathen to Christianity was long used as a pretext for encouraging it. And the successive slave-trading expeditions of the Portuguese continued to receive instructions to convert the natives to the faith." *(3)

The same religious fervor which governed and controlled the action of the Portuguese in their conduct to the negro slaves, characterized the Spaniards in their relations with the Indians of the New World. Columbus received instructions in his government

*(1) Helps, The Spanish Conquest, in Am., bk. 1, c. 1; Greeley, Am. Conflict V. 1, p. 26. *(2) Martin, Br. Colonies, v. 4, p. 165.

*(3) Martin, op. cit. P. 165; Fiske, Cong. of the New World, V. 2 P. 117.

*:2:-

of the Indies, that the prime object is to bring all the inhabitants to a knowledge of the sacred Catholic Faith. The Admiral fully appreciated his instructions, and in 1494 sent home some Indians as slaves to be taught Spanish, that they might serve as interpreters and facilitate the work of conversion. This was evidently to soothe the conscience with respect to any scruples that might be held regarding the enslaving of the Indians. In enslaving them, they tried to convince themselves that they were doing God's service. *(1)

Captain Burney tells of natives being assigned to the Spanish proprietors in specified numbers under a term denominated "encomiendas" the employer to whom the Indian was consigned was to have the reputation of "patron" the encomienda was couched in the following terms. "I recommend to A.B. such and such Indians (listed by names) the subjects of such Cacique (Chief) and he is to take care to have them enstructed in the principles of our Holy Faith". Under the enforcement of the encomiendas thousands of unoffending natives, were dragged to the mines and reduced to the most abject slavery; under which they quickly succumbed in great numbers. And it was at the suggestion of a kindly priest, who saw that the African frame was better fitted to stand the severe physical strain, that recourse was first had to Africa for slaves. *(2)

This celebrated priest, Bartolome de las Casas, came to Spain in 1517, to obtain measures in favor of the suffering Indians. He suggested that each Spanish resident in Hispaniola should have license to import a dozen negro slaves. Acting on this suggestion the Emperor Charles V, granted a patent to De Bressa, one of his Flemish favorites, containing an exclusive right of supplying 4,000 negroes annually to America. This license was sold to some Genoese Merchants, and here may be dated the commencement of the negro slave trade proper. *(3)

The portuguese by virtue of the decrees of the Pope Martin V and Alexander VI, granting them special privileges in the Eastern World, long claimed exclusive right to the African trade. However, Philip II of Spain, who succeeded to the vacant throne of Portugal, soon became too much entangled in European affairs to be able to preserve intact the African trade, which the Portuguese had spent years of unremitting exertion to establish. And other European nations were not slow in taking advantage of this to found trading settlements on different parts of the African Coast. *(4)

*(1) Fiske, Discovery of Am. V, 2, C. 11; Cobb. Intord. to Law of Negro S., p. 135. *(2) Buccaneers of Am. p. 22; also Fiske op. cit. V. 2, C. 11.

*(3) Ingram, Hist. of S. p. 143; Fiske op. cit.; Clarkson Abol. of the S. Trade V. 1, p. 33.

*(4) Martin, op. cit. p. 166.

CHAPTER I. Negro Slavery Among the English.

A. The first period, 1562, to 1788,- Hawkins first slave voyage to the last act of Parliament regulating the slave trade (a brief sketch of the manner in which the institution of slavery was fostered during this period and became the economic basis of colonial life); public opinion and the slave-trade during this period.

B. The second period, 1789, to 1807,- the struggle from the date of Wilberforces' first motion for the suppression of the slave-trade to its final abolition; the pro-slavery and anti-slavery points of view.

C. The abolition of slavery the natural consequence of the suppression of the slave-trade; difficulties in the way of abolition; ground of opposition to emancipation; attitude of the West Indian planters; a summary of the arguments against emancipation; extremists; advocates of immediate emancipation; the policy of caution; position of the planters.

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The beginning of the English slave-trade may be dated from the first slaving expedition of John Hawkins, 1562-3. Of this voyage, Hakluyt writes: "Master John Hawkins. . . . being amongst other particulars assured that the negroes were very good merchandise in Hispaniola, and that store if negroes might be easily had upon the coast of Guinea, resolved with himself to make trial thereof. . . . Landing upon the coast of Guinea he got into his possession, partly by the sword and partly by other means the number of three hundred negroes. These he made bent of in Hispaniola and by way of exchange secured a great store of merchandise". *(1) "In the following year" writes Ingram, "he again set out, under the patronage and aided by the subscriptions of Lord Robert Dudley (afterwards Earl of Leicester), the Earl of Pembroke and others, with five vessels which were joined by three more under a different command." *(2)

Queen Elizabeth's better nature seems to have revolted against the slave trade, but on a whole the trade was given every encouragement. Even the Queen received Hawkins into her service, made him paymaster of the Navy, and as a mark of special favor and recognition of his part in the slave trade gave him a coat of arms whose crest was a demi-Moore *(3)

In 1588, a patent was granted to a company, of which Elizabeth was a partner, to trade in the neighborhood of the Gambia and Senegal Rivers. This Company (though without the consent of the Queen

*(1) Payne, Elizabethan Seamen.

*(2) Hist. of S., p. 146.

*(3) Edin. Rev. V. 8, p. 379.

carried slaves to the Spanish American Colonies. In 1618 James I granted a charter to Lord Warwick and others, for the carrying of slaves from the Coast of Guinea; and in 1631, a charter was obtained by another association for the same purpose. Charles II, soon after his accession granted a charter to a fourth company. Among the shareholders were the Queen Consort, the Queen Dowager, the King's sister, and the Duke of York. The King's brother appears to have been the managing director. This company was protected by exclusive rights and employed in one year about forty ships; its main business being to furnish the plantations with negro slaves. In the pursuit of this work they erected forts and factories along the Coast of Africa; their head factory and the residence of the Company's chief agent being at Cape Coast Castle. In 1672, a new charter was granted for a new Royal African Company. This Company enlarged Cape Coast Castle, built forts at Accra and five other places. They had a monopoly of the traffic in negroes until 1688, when their exclusive privileges were annulled by the Declaration of Rights and the African commerce was thrown open to all British subjects. The Company, however, continued to exist, and in 1713, entered into the Assiento Contract. *(1)

The African carrying trade appears to have been all along a poor financial investment, Company after Company failed; so, that after 1729, we find Parliament beginning to subsidize the trade. These grants amounted up to 1749 to £80,000. *(2) The extent to which the British government protected and fostered this trade is shown by the fact that under the law of 1698, ten percent was exacted from all other African cargoes for the maintenance of the forts along the coast, cargoes of negroes being specially exempted. "for" Lecky remarks, "the Parliament of the Revolution desired above all things to encourage the trade". *(3) That the slave trade occupied a most prominent place as a branch of British commerce, in the first half of the eighteenth century is further shown by the elaborate contract with Spain, embodied in the twelfth article of the treaty of Utrecht (and called El Pacto de el Assiento de negros). It "grants to her Britannic Majesty and to the company of her subjects (the South Sea Company) as well as the subjects of Spain, all others being excluded the contract for introducing negroes into the several parts of the dominions of his Catholic Majesty in America, at the rate of 4,800 negroes yearly for the space of thirty years successively". *(4) Queen Ann, in her speech to Parliament announcing this treaty, boasted of her success in securing a new market for slaves. The slave

*(1) Egerton Short Hist. of Br. Col. Policy, p. 109; Martin, Br. Col. V. 4, p. 167; and Encycl. Am., Art. Slavery.

*(2) Martin, op. cit.

*(3) Hist. of Eng. 18th Cent. V. 2, c. 5, p. 13.

*(4) Gerard, The Peace of Utrecht, c. 24 ff.

*:5:-

trade now began to attain its full dimensions; the British Government having by this treaty secured for its subjects an absolute monopoly of the supply of slaves to the Spanish Colonies. "The monopoly of this trade" Lecky asserts, "was granted to the South Sea Company, and from this time its maintenance, and its extension both to the Spanish dominions and to her own colonies, became a central object of.....British Policy. *(1)

That England continued to adhere to this policy appears from the preamble of a statute enacted in 1850, to regulate the African trade. It ran "whereas the trade to and from America is very advantageous to Great Britain, and necessary for supplying the plantations thereto, belonging, with a sufficient number of negroes at reasonable prices; and for this purpose the said trade ought to be free and open to all his Majesty's subjects." *(2) The last act; called "an act to regulate for a limited time, the shipping and carrying of slaves in British ships from the coast of Africa" was passed in 1788.

Thus the slave-trade continued with the consent, approbation and even the assistance of the British Parliament. Lord North in 1783, while expressing his warm admiration for the Quaker anti-slavery society and sympathy with their petitions for the abolition of slavery, gave it as his opinion that "the trade had become in some measure necessary to almost every nation in Europe and that it would be next to an impossibility to induce them to give it up and renounce it forever." *(3) During the American War the trade declined, but rapidly revived when peace was restored. It is computed that between the years 1783, to 1793, not less than 74,000 negroes were annually transported from Africa to the West Indies. Of these it is estimated that the British carried 38,000 at an annual profit of about £298,462. *(4) And during the century preceding the prohibition of the slave-trade by the American Congress in 1776, the number of negroes imported by the English alone into the Spanish, French, and English colonies is said to have been little less than three millions. *(5).

The history of public opinion, regarding slavery and the slave-trade, during this period with which we are dealing is a strange psychological study. On a whole the trade was counted respectable, and men saw no incongruity in mixing up religion with it. Sparke writes, that Hawkins, in connection with the orders issued during his second voyage, commanded his men "to serve God daily, love one another.....keep good company" and on his return, remarks "We came to Patslow, in Cornwall, God be

*(1) op. cit., p. 14.

*(2) 23 Geo. ii, c. 31.

*(3) Lecky, Eng. in the 18th Cent. V. 6, c. 23, p. 287.

*(4) & (5) Ibid. V. 1, c. 5, p. 14; also Bancroft, Hist. of U. S. V. 3, p. 411.

thanked in safety, with the loss of twenty persons in all the voyage, and with great profit to the venturers of the said voyage as also the whole realm.....His name therefore be praised for evermore". *(1) Pecuniary profit to the traders and the need of the negro as a laborer was by no means the only incentive to engage in the slave-trade. Statesmen and philosophers gave it their sanction; and even the pulpit declared that it was humane and Christian to bring these heathen savage negroes to the protective care of civilized peoples.

Chatham, in many respects the greatest statesman of the eighteenth century, wished to develop the slave trade "as an important part of England's commerce". He boasted that his conquests in Africa had placed almost the whole slave trade in British hands; Lord Dartmouth, President of the Board, declared, in 1774, "We cannot allow the colonies to check or discourage a traffic so beneficial to the nation". *(2) It is a well known fact that the Court was inevitably and strenuously hostile to any movement which endangered this traffic. *(3)

The philosophers of this period express their approval of slavery in an unmistakable manner. Hobbs holds the theory of the Roman Jurists that slavery rests upon "a covenant for the preservation of their lives". The Dutch philosopher, Pufendorf, based slavery "on contract and held it to be in accord with natural law, and to be on the whole desirable, since it operates to reduce the number of idle men, thieves, vagabonds, and sturdy beggars". *(4) It is a noteworthy fact that John Locke was a shareholder of the New Royal Africa Company. His view is that "slavery is in the full sense of the word, merely the condition of one who by violating the law of nature, has withdrawn himself from its protection; that is, one who has been made a captive in a just war." *(5) Berkeley had slaves when in Rhode Island, and appears to have no scruples on the subject, though with his characteristic humanity he protested against "the irrational contempt of the blacks". *(6)

Among theologians, Jonathan Edwards, the great American divine held pro-slavery views, and at his death, left among other property ~~part~~ a negro slave. Whitfield was a strong supporter of slavery, and is reputed to have been one of the most prominent and influential advocates of the introduction of slavery into the colony of Georgia. He in common with many religiously minded persons favored slavery, because they thought it brought great, remote and

*(1) Payne, Elizabethan Seamen.

*(2) Hammond, Life of Fox, p.233; Blackwood A.Mag.V.141, p.663.

*(3) Hammond, op.cit., Stanhope, Life of Pitt, V.1, p.436.

*(4) Walpole, Geo.III, V.1, 227.

*(5) Dunning, Pol.Theor.Mod.pp.281, 320.

*(6) Ibid, p.346.

*(6) Fraser, Life of Berkeley, p.187.

inaccessible peoples within the reach of Christian missionaries. *(1) However as a matter of fact there was a strong feeling against the conversion of negroes to Christianity because it was widely held that baptism would invalidate the master's legal title to his slave.

We have still to note the attitude of the colonists during this period,- It has been repeatedly stated that England, in many instances, forced slavery upon unwilling colonies. For instance, Jamaica's several attempts to restrict the importation of negroes by a prohibitive tax were vetoed by the Home Government; and several attempts of the Colonies in the United States (chiefly those of the North and Virginia) to prohibit or restrict their importation, met a similar fate. It is true that in the interests of the Royal African Company and of the home trade generally, England discouraged any such attempts and forbade the State Governors to give the necessary assent to any measure restricting the trade. It is also quite evident that this aversion to the further importation of negroes, on the part of the Colonists did not arise from any righteous abhorrence of this nefarious institution, but from economic and political reasons; fear of the effect of an excessive supply upon prices or from the consequences resulting from the presence of a large negro population. The New England merchant had no scruples in regard to going shares in slave importing enterprises. *(2).

It is not our purpose to inquire into the iniquitous manner in which slaves were obtained on the coasts of Africa, or the unfathomable horrors of the middle-passage. That nothing in the annals of the Modern World presents such an abyss of human suffering as the story of the slave-trade, is beyond doubt. *(3) Still we must not for a moment suppose that this institution, for the monopoly of which our forefathers fought, was altogether an unmixed evil. There were in it elements of real value, else it should not for centuries have received the support of the sober, practical, matter-of-fact Anglo-Saxon mind. It had its inevitable place, in the artificial conditions of tropical cultivation and was the result of the irresistible influences of a real or supposed physical necessity. However, repugnant the existence of slavery is to all our better instincts, by it the primeval forests of Virginia and Jamaica were brought under cultivation sooner than they otherwise could be; by it England's commercial and colonial expansion were greatly hastened; by it such princes of the Sea as John Hawkins and Sir Francis Drake, received much of their training. The instincts inherited from Viking Ancestors were fostered and

*(1) Hammond, op. cit., p. 233; Lecky, op. cit. V, 2, p. 17.

*(2) Fiske, The Critical Period in Am. Hist., p. 71; Egerton, Br. Col. Policy, c. 3, p. 110; Lecky, op. cit. V. 2, c. 5, p. 16.

*(3) Vide Spear, The Am. Slave Trade, p. 66 ff; Clarkson, Hist. of the Abolition Mov't, and Martin, Brit. Colonies, v. 4, p. 167 ff.

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encouraged in the tiny traders of an average of less than seventy-five tons burden, that went forth to face the unavoidable hurricanes of the tropical seas, and to meet yardarm to yardarm, the war ships of privateers and pirates, who were constantly in search of such prizes as slavers.

II.

Side by side with the growth of Modern Slavery forces were coming to life which were destined to meet the slave-power in a life-or-death struggle. The beginning of that spontaneous outburst of intellectual energy, known as the Renaissance, antedates the time when the second great period of slavery began. The Renaissance was destined to usher in a great period of discovery. the discovery of the globe, the discovery of the universe, and more important than all the discovery of man. Under its spell man was able to grasp the best thought of the past. Under its warmth the seeds of liberty, planted in the ancient world, burst into life. Aristotle had by his concrete way of thinking given due prominence to the **individual**, the Roman Jurists had contributed their part to the clear development of the theory of free contract between free individuals; and above all Jesus and his apostles had emphasized the high ethical significance of the relations existing between man and man, and had enunciated the doctrine of universal brotherhood. The writings of Rousseau, ~~Mathus~~ Hannah More, Clarkson, and many others opposed to slavery, were the logical result. Their combined efforts precipitated the struggle against the slave interests which was destined to eventually result in the overthrow of the latter. The anti-slavery movement was part of a wider humanitarian movement. The twenty years succeeding 1788, represent the first period of that struggle in England.

The Quakers, who gave shape to the anti-slavery policy; judiciously decided not to attempt a crusade against slavery but to confine their efforts to the abolition of the trade and the amelioration of the conditions of the negroes. By adopting this method they not only greatly diminished the amount of opposition but also avoided the delicate constitutional questions that might arise if the English Parliament were asked to interfere with the ~~Constitutions~~ of the colonies having legislatures of their own.

Two sets of men were directly interested in the slave-trade, viz., the Liverpool Merchants and the West Indian Planters. And when ~~the~~ Wilberforce in the spring of 1789 gave notice of his first motion, a flame of opposition soon burst out against him from amongst the former. The majority of the West Indian Planters soon followed their example. No doubt their pride was touched and they claimed that the maintenance of the slave trade

"was absolutely ~~ess~~ential to the existence of their property".*(1) Alderman Newnbanis, advocating the slave interests, said "If (the slave-trade) were abolished altogether, he was persuaded that it would render the city of London one scene of bankruptcy and ruin". He therefore ~~cantion~~ed the gentlemen "not rashly or ~~presipitately~~ to put an end ~~tt~~ a trade so essentially advantageous as a branch of our national commerce". *(2) Mr.Sawbridge declared the measure both rash and impolitic. "The object which the gentlemen flattered themselves with would not be obtained. Instead of serving the Africans they would be doing themselves an injury. If they could no longer be sold as slaves they would be butchered and executed at home". *(3) During the ~~course~~ of his speech on the 12th of May, Mr. Dempster said *(4) "I ~~t~~was recommended to them to abolish the slave-trade on the principal of humanity, undoubtedly they owed humanity to all mankind; but they also owed justice to those who were interested in the event of the question, and had embarked their fortunes on the faith of Parliament. The African trade had been considered in that House as so valuable that they preferred it to all others and had annually ~~woted~~ a considerable sum towards carrying it on ". Another speaker remarked that "there were mortgages in the West India Islands to the amount of seventy-millions; the fact therefore was, if they passed the vote of abolition, they actually struck at seventy millions of property,* they ~~ruined~~ the colonies, and by destroying an essential nursery for seamen, gave up the dominion of the sea at a single stroke."

The above are fair examples of the arguments advanced by the advocates of slavery; During the period of the struggle for the abolition of the slave-trade. The interests involved were very extensive, and as we have seen, were not confined to England. The result was that the abolition of this traffic was looked upon as "a fine spun theory, sounding well in speeches, but ruinous in practise". *(5)

Wilberforce again brought forward a measure in 1791, for the abolition of the slave-trade. However, at this time, Lecky informs us *(6) that fear of the French and its principles exercised a strong influence on English opinion. The Jacobins strongly supported the abolition of the trade, and the Abolition measures of the French Assembly had been followed by the horrors of the negro insurrection at St.Domingo, and the serious disturbance among the negroes of the British Colony of Dominica. "It was noticed as an incontestible fact that the opinion of the House of Commons in 1791 had turned decidedly

*(1)Life of Wilberforce, by His Sons, V.1,p.291.

*(2) Hans.Parlt.Hist.V.28,p.76.

*(3)Ibid.p.79.

*(4)Ibid.p.78

*(5)Stanhope, Life of Pitt, V.1,p.347.

against the abolitionists". During the following year the struggle passed through some new phases. The opposition of both pro-slavery and anti-slavery parties was manifestly increased. The popular movement against the slave interest became so intense that protests were received from London, Bristol, and many large towns, 519 petitions were presented to Parliament for the abolition of the slave-trade, and a widespread agreement followed to leave off the use of sugar, as being a product of slave labor. *(1) On the other hand, the opposition to the abolition movement became more pronounced, the horrors of St. Domingo were dilated, the King and Royal family were extremely hostile. It is said that George III "always regarded the question (of abolition) with abhorrence as savoring of innovation, and innovation in a part of his Empire connected with his earliest and most rooted prejudices". *(2) In Parliament the public meetings and increasing number of petitions were regarded with much aversion, as tending to overthrow the independence of the political judgment and convert the representatives into mere delegates. *(3) Mr. Bailie, on the second of April of this year said "the abolition of the slave-trade will be an absolute breach of the compact that ties the colonies to the Mother Country; and being contrary to justice and contrary to the spirit and meaning of the laws of England, will meet with universal resistance". He even went the length of asserting "that it is not in the power of Great Britain to prevent the introduction of negroes into the West India Islands". *(4) In 1793, the Commons yielded to the public voice, and passed an act for the gradual abolition of the trade. It was lost in the House of Lords, by a motion to hear further evidence. Dundas urged "the extreme danger of taking a step which might be offensive to the colonial legislatures, at a time when war was raging" The struggle went on intermittently for the next dozen or more years. The House of Lords invariably rejecting all measures for the abolition of the slave-trade. The Revolutionary wars were a strong deterrent against taking any step against it. At least it was claimed that the dark period of colossal wars, "was no time for abolishing a lucrative trade, at the cost of irritating the colonial legislatures". *(5) The name, Jacobin, and the charge of holding revolutionary tenets might be easily affixed to any advocate of liberty for the slaves. Boswell condemned the attempt to abolish the slave-trade as "wild and dangerous". Ascribing the advocacy of it to a love of temporary popularity or of general mischief, and "thanked God that there was a House of Lords to stand up for a traffic which God had sanctioned and man continued". *(6)

*(1) Clarkson, Hist. of the Abol. Mov't. V. 2, p. 352 ff. Hammond, The Life of

*(2) Life of Wilberforce, by his sons, V. 1, p. 349.

23 (Fox, p. 234

*(3) Lecky, op. cit. p. 294.

*(4) Han. Parlt. Debates Vol. 29, p. 1081.

*(5) Wilberforce, op. cit. V. 1, p. 343; Lecky, op. cit. 296.

*(6) Life of Johnson, p. 23.

-:11:-

The results of Pitts' efforts against the slave trade, were extremely disappointing from the abolitionists point of view. Though he is said to have electrified Fox and Grey, by a speech delivered in favor of Mr. Wilberforce's abolition measure in 1792 he was widely accused of lukewarmness, towards this movement. Under his Administration the slave-trade increased enormously. It is estimated that the annual importation of negroes rose, during his ministry, from 25,000 to 57,000. And in 1804, he dissuaded Wilberforce from introducing a resolution for-bidding any further importation of slaves into the conquered colonies. *(1)

In 1806, Grenville and Fox came into power. And in the following year a bill was carried through both Houses of Parliament, inflicting heavy pecuniary punishment on the traffic in slaves. *(2) The Act of 1807 proved ineffectual in suppressing this trade, as traders knew that if one voyage in three was successful, they were abundantly remunerated for their losses; the profits derived from the trade being sufficient to afford an insurance against the consequence of capture. It was only after the passing of Mr. Brougham's Bill making it a felony, that its extinction so far as the British were concerned was secured.

The arguments advanced during the years 1806, 1807, clearly set forth the opinions held by both the anti-slavery and pro-slavery parties. Mr. Hibbert as spokesman for the West India interests said "that the British West Islands were settled, and have been cultivated under the solemn faith of those charters and proclamations and those acts of Parliament which have confirmed the West India Islands in the most perfect assurance that they should continue to receive supplies of negroes from Africa". *(3) To this Mr. Wilberforce opposed the argument that "Imperious justice calls upon us to abolish the slave-trade. Justice is still the same and you are called upon in this measure, not only to do justice to the oppressed and injured natives of Africa, but to your own planters; and to interfere between them and their certain destruction, and despite their fears, despite their passions, despite their prejudices rescue them from impending ruin". *(4) The slave interest claimed that so far from the prohibition of the slave-trade having a beneficial effect, "its tendency would be diametrically the reverse: It will drive the slave-trade from the great merchants of Liverpool, who have done so much to diminish its horrors, to the Spanish and Portuguese, who as yet are totally unskilled in its management, and treat the captives with the utmost barbarity". *(5) The abolitionists claimed that the "argument that, if we do not carry on the slave trade, some other nations will, possibly with less commiseration for the sufferings of the captives, if admitted would shake to their foundations."

*(1) Hammond, Life of Fox, p. 238.

*(2) 47 Geo. III, c. 36.

*(3) Parlt. Debates V. 6, p. 831.

*(5) Parlt. Deb. 6, 992.

*(4) Parlt. Deb. v/6, p. 652.

-:12:-

Every principle of public and private morality

every band of robbers might plead in their justification that, if they did not knock down and plunder travelers, other banditti might do the same, and possibly superadd to their other atrocities, and therefore the lucrative rapine should not be discontinued".*(1) The *pro*-slavery men argued that "the abolition of the slave-trade is a question which is at all times dangerous to agitate, from the intimate connection it has in the minds of the negroes with the abolition of slavery itself. And the necessary effect it must have in perpetuating the discussion of the subject in the mother country, to the total destruction of all security in the planters or repose in the minds of the slave population".*(2) It would produce horrors it was claimed similar to those of St. Domingo. To this the abolitionists replied that in America measures were taken for the emancipation of the slaves, and unless "similar steps were to be introduced in the West India islands and the slaves were to be perpetually tantalized by the sight of the superior comforts of their brethren on the mainland the danger would indeed be real". The dangers anticipated "would be real only if immediate emancipation were proposed".*(3) The *pro*-slavery men claimed that "it is a total mistake to suppose that the evils enormous and deplorable as they are, of Central Africa, arise from the slave-trade. Civilize the interior of that vast continent, humanize their manners, abolish the savage practice of selling or putting to death captives made in war, and you indeed make a mighty step in extirpating the evils which we lament". The abolitionists argued "that the existence of the slave-trade itself is, and ever has been the great barrier to the civilization of the interior of Africa, by the temptation held out to the chiefs in the coast to engage in the traffic of negroes. *(4), thus giving them an incentive to wage constant wars, in order to procure captives. The slave party even went so far as to claim "that Africa labors under a natural incapacity for civilization; that Providence never intended her to rise above barbarism; that Providence has irrecoverably doomed her to be only a nursery for slaves for us free and civilized Europeans". To this it was objected "allow this principle as applied to Africa" on the same reasoning it might have been predicted of England before she emerged from barbarism "There is a people that will never rise to civilization; there is a people destined never to be free".*(5)

An interesting study is derived from a comparison of the slavery controversies as they prevailed in England, and as they prevailed in the United States, a generation later, In England, no clearly defined *pro*-slavery theory was ever arrived at. The defence

*(1) Ibid. 947.

*(2) Ibid. 831,

*(3) Ibid. 955.

*(4) Ibid. 979, 652. ff.

*(5) Pitts' Speech April 1792.

was at first based upon scripture arguments, or on the plea, that it was to the interest of the slave-dealer to study the well being of his slave, and on the happy state of the latter in a condition of slavery. By degrees these arguments came to be utterly refuted and overthrown. The advocates of slavery while acknowledging that there were evils inseparably connected with this institution, and that its abolition was an ideal to be desired, took their stand in what may be termed a "dilatory plea". They contended and with some truth, that the question was no longer a plain or simple one, but had become interwoven with many practical considerations. Interests which had grown up under this system which the law had protected must not be disregarded. And even for the sake of the slaves themselves, emancipation must not be hurried. For the United States, as we will see in the following chapter, the course of the controversy tended in the opposite direction. During the last three decades of the struggle there, a clearly defined pro-slavery theory was developed, which regarded slavery not as a necessary evil needing to be apologized for, but rather as a laudable, permanent "institution", perfectly consistent with the highest civilization.

During the controversy as it prevailed in England there is an absence of sectism, not was it ever made the subject of party distinction; while in the United States, the sharpest geographical and party lines were drawn.

Finally, the question in Great Britain, was in one sense much simpler than in the United States; with the former power to abolish the slave-trade and slavery was vested in Parliament, while in the United States the delicate constitutional question of the right of the various states to legislate in the matter had to be faced.

III.

The growth of a humanitarian spirit, together with the great outburst of reforming zeal rendered it inevitable that the work of the Whig Ministry in the abolition of the slave trade should eventually result in the abolition of slavery itself; if it was wrong to import slaves, it naturally followed that slavery itself was wrong. However, public opinion was not destined to force Parliament to action until 1823. And the struggle for the abolition of the system was confined to the decade immediately following this date. Among other things, which contributed to bring about this final struggle, may be mentioned the declining state of trade in the West Indies. It is estimated that their trade was less than half what it had been during the war. *(1) This tended in two ways to bring about the final struggle. First, by diminishing

*(1) Cambridge Mod.Hist.V.10,p.658.

the social and political influence of the merchants and planters, and secondly, the financial depression together with the stopping of the slave trade increased the misery among the slaves on the plantations, the reports of their unhappy condition did not fail to reach England and arouse demands for redress.

The abolition of slavery was even a more formidable undertaking than the suppression of the slave-trade had been. It entailed a forceful interference with property; and the opinion was widely held, that it would lead to serious insurrections and possibly ruin some of the wealthiest colonies. Statesmen were at their wits end. On the occasion of Mr. Buxton's Resolution of 1823, Canning said "I never in my life proceeded to the discussion of any question under a stronger impression of its manifold difficulties". *(1) And ten years later Peel, when proceeding to discuss the Ministerial plan for the Abolition of slavery, remarked "that in the whole course of his parliamentary experience, he had never approached the discussion of any question in which the interests involved appeared to him to be of equal magnitude to those connected with the subject under discussion. He never recollected any question in which the difficulties to be surmounted were so appalling or in which a single false step increased the hazards of the consequences so immensely." *(2)

The arguments of those who advocated the continuance of slavery were very similar to the arguments employed by the men who opposed the suppression of the slave-trade. From the first they took their stand on the ground that Parliament had no right to interfere with their property in slaves. Mr. Ellis, representing the planters said "All the planters ask is, the fair protection promised under the faith of Parliament: Parliament is bound to fulfil its duty equally to both parties - to the slaves and to the planters. We had not a right to pay a debt of African humanity with Indian property". *(3) The West Indian Planters embodied the following in a petition drawn up the 27th of May 1831:- "There is no stronger title to property, than that which is derived from positive law. Looking to the rights thus acquired the West Indian proprietors do solemnly protest against any measure which takes away the property of their fellow subjects without adequate compensation; a measure which if carried through, will shake the foundations of every species of property, and establish a precedent which may speedily lead to every other species of property being similarly dealt with". *(4)

Parliament, in 1823, under the direction of Mr. Canning, drew up proposals urging the local legislatures of the colonies to adopt certain measures calculated to effect the gradual abolition of

*(1) Hansard, Parl. Deb. V. 9, 275.

*(2) Speeches, V. 2, p. 704.

*(3) Hansard, op. cit. 297.

*(4) Alison, Hist. Europe, V. 5, C. 31.

slavery. These Alisin informs us "the colonists in the West Indies had with unpardonable obstinacy rejected". The Assembly of Jamaica, told Parliament "to mind its own business;" while in the Barbados an attack upon the missionaries followed the receipt of the dispatch. Even severance from the mother country was threatened. *(1)

Orders in Council issued by the Government, November 1831, fixing hours of labor, appointing slave protectors and other measures calculated to prepare the slaves gradually for emancipation, also met the strong opposition of the colonists. It was claimed that the adoption of such measures might excite undue expectations in the minds of the slaves, lead to the belief that slavery had been entirely abolished, and cause insurrections.÷X In short, they resented the idea of interference by the Imperial Parliament at all. *(2).

The following is a list of the principal arguments urged against emancipation:-

That Parliament has no right to interfere with the existence of an institution which "It has for ages tolerated, sanctioned, protected, and even encouraged"; *(3)

That the negroes would not work; they wanted to be free merely that they might be idle. If they were emancipated "the colonies would be of no further value to Great Britain"; *(4)

That the abolition movement was virtuous but it was not practical. "The history of the abolition of slavery by the English and its consequences, would be a narrative of ignorance, injustice, blundering waste and havoc not easily paralleled in the history of mankind;" *(5)

That the condition of the slave in the West Indies was as favorable as that of the free laborer in England; *(6)

That the negro was not ready for freedom "for I contend that emancipation would be a curse and not a blessing, if granted before the class were duly prepared to receive such a boon"; *(7)

That on account of the great fertility of the soil in the Indies, and the consequent small amount of labor required to provide them with the means of existence the negroes would quickly relapse into a state of barbarism; *(8)

That the planters since they could no longer get their properties cultivated would be forced to leave the Islands". *(9)

*(1) Alisin op.cit.V.5,C.31; Cambridge Mod.Hist.V.10,p.658.

*(2) Alisin op.cit.

÷ These Orders in Council were in fact, followed by a negro insurrection in Jamaica during the latter part of the year 1831.

*(3) Hansard, Parl. Deb. 9, 278. *(4) Ibid. 347.

*(5) Morley, Life of Gladstone, V.1, p.104.

*(6) Mirror of Parlt. 1830, 553. *(7) Ibid. 2897.

*(8) and *(9) Grenville, Reign of William IV, V.3, p.349.

At times feeling ran extremely high. Grenville remarks that "Stanley's plan for emancipation produced rage and fury among both West Indians and Saints, being too much for the former and not enough for the latter". The most scurrilous language was used on certain occasions by both sides. The following is an extract from a petition for the abolition of slavery: "The petitioners behold with emotion slaveholders sitting in the Legislature of the Nation, like Satan among the Sons of God; and do earnestly entreat the House to resist their baneful influence, that they abhor the characters of the slave-holder as they do slavery itself, regarding such members as a pest to the land that gave them birth, and humbly pray that the House may be pleased to annihilate their power". *(1) That the extremists on the opposite side of the House were not to be outdone in the matter of language is evident from the following extract from Blackwood's Magazine, which claims that the Abolitionists agitation was likely to excite the negroes to insurrection: "It remains to be shown, whether this Empire is to be harrassed with eternal impunity, by the madness of a set of arrogant black-heads - whether our policy is to be forever thwarted by the rash and headlong machinations of fanatical dupes - whether the thing, the system of humbug is to be allowed to go on from week to week, and from year to year, until at length these poor negroes do affect as well as menace, and bathe the whole soil of these colonies in a mingled sea of their own blood and ours". *(2)

Mr. Buxton, Mr. Ballcomb, Lord Howick and others opposed the Measure, of 1833, because it did not provide for immediate and unconditioned emancipation. And as a protest, Lord Howick resigned the office of Secretary of the Colonies. He declared the apprenticeship system impracticable "It had never been tried in any age or country". *(3) But the majority were in favor of gradual emancipation. Their policy of caution is easily mistaken for a pro-slavery attitude. Earlier in the struggle, Lord Althorp had remarked "I wish the emancipation of slaves to proceed very gradually; because I feel apprehension that, if the greatest caution is not used in the application of the remedies, evils of an alarming nature may be the result". *(4) Gladstone is recorded as saying "The extinction of slavery was a consummation devoutly to be desired, and in good earnest to be forwarded, but "immediate and unconditioned emancipation without a previous advance in character, must place the negro in a state where he would be his own worst enemy, and so must crown all the wrongs already done to him, by cutting off the last hope of rising to a higher level". *(5)

Finally, though it is no purpose of ours to defend the West

*(1) Mirror of Parlt. 1830, 550.

*(2) Vol. 14, p. 45.

*(3) Molesworth, Hist. Eng., V. 1, p. 257.

*(4) Hansard, Parlt. Deb. 9, 550.

*(5) Morley, Life of Gladstone, V. 1, p. 104.

Indian planters in their stubborn resistance to the abolition movement, still it must be admitted that they had much to justify them in assuming this attitude. The interests involved were immense; they long had the sanction and encouragement of Parliament in promoting this system; and custom and education had done their work. Again the unhappy condition of the negroes on the plantations did not come directly under the notice of the planters. The majority of them resided in England. And it was to the manifest interest of the bailiffs and overseers, Lecky tells us *(1) to whom the care of their property was consigned, to stifle all complaints, and keep their principals as much as possible in the dark regarding the management of their estates. Further, as we have noticed trade in the Islands had declined enormously. And the Abolition Act of 1833 *(2) provided for an apprenticeship system, the workability of which had never been proved. The prospects were that a large, shiftless population of negroes would be thrown on their hands. Time proved the whole arrangement of the apprenticeship system unworkable. The compensation *(3) granted by Parliament, Egerton claims, was inadequate. In his words "the property compulsorily taken away was worth at least from 40,000,000 to 50,000,000. pounds. In other words, amidst loud self-laudations and congratulations the nation paid up conscience money to the extent of something less than ten shillings in the pound". *(4)

*(1) Hist. of 18th Cent. V.6, C.23, p.284.

*(2) 3 and 4 Will. IV, c.73.

*(3) £20,000,000.

*(4) British Col. Policy. p.278.

CHAPTER II. The American Defence of Slavery.

- A. First period:- From the inception of slavery to the year 1808 (date of the abolition of the slave-trade) a brief sketch indicating the several steps by which the slave system became established on American soil.
- B. Second period:- 1808-1830 (a marked change of sentiment in the South) the pro-slavery movement viewed from the economic and political view-points.
- C. Third period:- (a) The pro-slavery contest 1830 to the Civil War); rise of anti-slavery movements; the South aroused to defend slavery; need for more territory for slavery expansion; designs on Texas; threats of secession; Jackson's message to Congress; Annexation of Texas and the Wilmot Proviso; Calhoun's resolutions; Clay's Last Compromise; the Kansas Nebraska Act; the struggle for Kansas; the end drawing nigh; both sides begin to mobilize their forces; secession the last effort to perpetuate slavery. (b) The development of the pro-slavery theory.
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The slavery controversy in America may be said to fall naturally into two periods; the first extending from the inception of slavery in United States territory to the year 1830, and the second covering the three decades prior to the Civil War. Previous to 1830, there was no well organized effort to defend slavery, but it was for the most part treated in an apologetic manner, after this date the pro-slavery theory took more definite shape and a systematic defence of system was begun. For greater clearness, we may again divide the history of the slavery struggle prior to 1830 into two periods. A marked change of sentiment is noticed in the South about the time the slave-trade ceased. The invention of the Cotton gin, taken in connection with the sudden and prodigious development of manufactures in England greatly stimulated the growth of cotton and the demand for slave labor in the Gulf States. During the years prior to 1808, the attitude towards slavery was on a whole one of suspicion, even in the South a well marked sentiment existed against it. And Bancroft tells us that "Of the original thirteen States, South Carolina alone was from its origin essentially a planting state with slave labor". *(1) We can only briefly indicate the several steps by which the slave-system became gradually established on American soil during this early period of its history.

When in 1607, the first abiding English colony, Virginia was founded on the Atlantic Coast, negro slavery, based on the African trade was a century old throughout Spanish and Portuguese America; and had acquired the stability and respectability of an institution. When the Pilgrim Fathers landed on the shore of

*(1) Hist? of the U.S. Vol.1, Ch.2.

Plymouth, in 1620, Virginia had already received and distributed her first cargo of slaves. And during the following year the cultivation of the cotton plant, which was destined to play so important a part in the fostering of slavery on the American Continent, was begun in this province.

The introduction of tobacco about this time increased the demand for slaves, and finally impressed upon Virginia and Maryland the position of slave-holding states. Indian slavery was also among the early usages of New England. The Puritan pioneers were early involved in a life-or-death struggle with their Aboriginal neighbors "Their experience of Indian ferocity and treachery" Greeley tells us, "acting upon their theological convictions, led them early and readily to the belief that these savages, and by logical inference all savages, were the children of the devil, to be subjected, if not extirpated, as the Philistine inhabitants of Canaan had been by the Israelites under Joshua. From Indian slavery, the resort to the cheap labor of the negro slave was an easy transition". *(1)

As early as 1626, the West Indian Company imported slaves among the quiet burghers of New Amsterdam. The City itself owned shares in a slave-ship, and shared in the profits of the trade. Stuyvesant was instructed to use every exertion to promote the sale of negroes. In 1641, we find the distinct recognition of the lawfulness of Indian and negro slavery, as well as the approval of the African slave-trade in New England. *(2) England was at this period actively engaged in the trade. Lecky tells us that "there was, especially in the Northern Provinces, a great and general dislike to the importation of negroes, and that every attempt to limit or restrict that importation was rebuked and defeated by England..... The State governors were forbidden to give the necessary assent to any measures restricting it, and the English pursued this policy to the very eve of the Revolution". *(3) George III we are told "resisted the movement for abolition with all the obstinacy of which his hard and narrow nature was capable". *(4) And it is further alleged that his stubborn resistance to the restriction of the slave trade occasioned the fierce denunciation of slavery in Jefferson's first draft of the Declaration of Independence. *(5) The clause prohibiting the importation of slaves, however, was struck out of the Constitution in deference to the strong opposition of South Carolina and Georgia.

It was the remarkable development of the cultivation of Cotton consequent on the invention of Whitney's cotton gin, in 1793, that

*(1) American Conflict Vol.1, p.36.

*(2) Cobb, Introd. Law of Negro Slavery, Ch.9.

*(3) Hist. of Eng. in the 18th Cent., Vol.2, Ch.5, p.14.

*(4) The Critical Period of Amer. Hist., p.71. by Fiske.

*(5) Ibid.

gave the tremendous impetus to the increase of slavery in the South. The nature of the cotton plant rendered it peculiarly fitted to the climate and soil of the South, and the ease with which it could be cultivated and prepared for market, made the application of slave labor extremely profitable. Consequently, from the very first the economic life of the South tended to be based on the slave-system. The warm climate was suited to the negro, and the rude manual labor of the fields suited to his meagre capabilities. While in the north, owing to climatic and other conditions slave labor proved itself scarcely profitable. On the one hand the economic and social basis of the north tended to an increase of free labor and a farm system. The North also tended more and more to become the home of industrialism, while the South, on the other hand, developed an agricultural life and a system of large ill worked estates. This economic and social sectionalism came to have an important bearing on the slavery controversy; and in the republican period the institution of slavery quickly rose from a local and state question to one of the most momentous of national problems. Mason and Dixon's line soon came to have practical political significance.*(1)

During the years 1808 to 1830 certain influences were in operation which tended to bring the slave question into greater prominence. On the economic side, the further perfecting of the machinery used in the manufacture of cotton goods enormously increased the output of that product. Every movement for freedom appears to have had its counter movement to stimulate slavery. The year that the slave-trade ceased, the manufacture of cotton goods was begun in Boston. The power loom was soon brought into general use in England and was introduced into the United States. Steam boats, also were coming into general use in both countries, and great advances were made in commerce and the manufactures. During the first twenty years of this century the value of slaves is said to have trebled. The breeding of slaves, became profitable industry. And slave-holders arrived at the conclusion that slavery was by no means so sinful and harmful as their Revolutionary forefathers thought it to be. On the political side, territorial expansion precipitated a bitter struggle, and with regard to the status of new acquisitions gave rise to problems of the gravest character. These were of two kinds. First, as to its existence in the States, a state right. The South enunciated the theory "that slavery was a municipal institution with which Congress had no more to do than with the School system or local administration".*(2) This gave rise to the states Rights struggle. Second, as to its existence and extension in federal territory, a national question constitutionally subject to federal control. National expansion necessarily brought it into federal politics. The admission to the Union between 1803, and 1817 of four states, two free (Ohio

*(1) Jno. Hopkins Univ. Studies, Series 9, p. 131. New Inter. Encycl. Art S.
*(2) Pol. Sc. Quart. V. 6, p. 402.

Indiana) and two slave (Mississippi and Louisiana) gave rise to the theory of the balance of power between the States. The acquisition of Louisiana (from France) though not made in the interest of slavery, was favorable to its advance. Slaves had already existed in the territory, and further organization of Louisiana territory in 1818-20, drew the issue sharply on slavery extension, precipitated the first bitter conflict concerning slavery, and gave rise to the legislation known as the Missouri Compromise. In the organizing of new territory, nonextension of slavery, it was thought would lead to its eventual extinction.

The struggle that took place over the admission of Missouri to the Federal Union, arose over a clause forbidding the further introduction of slavery. The conflict indicated a remarkable change in the Southern mind from the anti-slavery sentiment so widely current during the revolutionary period; and was a great surprise to most of the Northern people. "The slave-holders " Schurz says "watched with apprehension the steady growth of the Free States in population, wealth, and power. In 1790, the population of the two sections had been nearly even. In 1820 there was a difference of over 600,000 in favor of the north, in a total of less than ten millions..... In 1820 the census promised to give the North preponderance of more than 30 votes in the House of Representatives. As the slave-holders had no longer ultimate extinction, but now the perpetuation of slavery in view, the question of sectional power became one of the first importance to them, and with it the necessity of having more slave states for the purpose of maintaining the political equilibrium at least in the Senate. A struggle for more slave states was to them a struggle for life". *(1) The immediate contest was over the matter of the prohibition of slavery in the territories. But in reality this was only incidental to the question of the right of Congress to impose conditions upon a state. Few disputed the right and power of Congress to prohibit slavery within the territories. What the South did fight for was State sovereignty; the right to form and modify their institutions in accordance with their own judgment, interest, feeling, or convictions. *(2) Speaking in the Senate 13th February, 1820 Mr. Pinkney of Maryland said "Slavery we are told with some pomp of metaphor, is a canker at the root of all that is excellent in this republican empire, a pestilent disease that is snatching the bloom from its cheek, prostrating its honour and withering its strength. Be it so, yet, if you have power to medicine it in the way proposed, and by virtue of the diploma which you claim, you also have the power in the distribution of your political alexipharmic to present the deadliest drug to every territory that would become a state, and bid it drink or remain a colony forever". The question was finally decided during the spring of that same year by the

*(1) Life of Hy. Clay, V.1, Ch.8.

*(2) Greeley, Amer. Conflict, V.1, p.76.

admission of Missouri as a slave state, on the condition, that in the future, in all the rest of the country ceded by France to the United States, lying North of thirty-six degrees thirty minutes there should neither be slavery nor involuntary servitude. This ~~is~~ ~~was~~ the substance of the famous Missouri Compromise. By it the slave party won the immediate object contended for. It was equivalent to a victory for free labor in the future. *(1)

The struggle and the Compromise afford the first clear demarcation between the North and South. The slave states are for the first time clearly separated from the free, and Mason and Dixon's line extended Westward marks a political division. The tariff also begins to play an important part in the struggle between North and South. Since manufacturing was centred in the North it demanded a protective tariff in contrast to the South which was a producing country and required free trade. And, hence, the tariff along with slavery and the public land policy were the burning issues for the next few years.

The Pro-Slavery Contest 1830 to the Civil War.

We noticed above how events were shaping themselves to the ~~fastening~~ of the institution of slavery on the Southern States how the social and economic system of the North tended more and more, from natural causes, to be based upon free labor. Now we shall see that the great slavery controversy was not to be in full swing until after the year 1830. The years 1828, to 1832, mark the rise of the abolition movements in the United States. In 1831 the Nat Turner insurrection of slaves took place in Virginia; and in the same year the Boston Liberator, an Anti-Slavery organ, was established, to be followed in January 1832, by the founding of the New England Anti-Slavery Society; which led to the founding of a National Society in the following year. These organized efforts against slavery aroused the South to take definite action in defence of their beloved institution. Mirriam remarks "The opinion of the Southern leaders was radically changed. They no longer apologized for slavery, they defended it, they not only defended it as a necessary evil, but upheld it as a positive good". *(2) We shall deal with the pro-slavery theory in a separate section, and in the meantime endeavor to trace the struggle for the expansion of Slavery.

Gradually, Schurz informs us *(3) it became apparent that the territory opened to slavery by the Missouri Compromise, which at first seemed to give such advantage to the slave-power, was too

*(1) Cooper Hist. of Amer. Politics, Bk. 1, p. 24. Schurz, Life of Hy. Clay

*(2) Am. Pol. Theories, c. 6, p. 228.

*(3) Larned, Hist. for Ready Reference, V. 5, p. 3187. (V. 1, C. 8..)

limited for the formation of many slave states, while the area for building up free states was much larger. When in 1829, the Mexican Government forbade the importation of slaves, and later emancipated all slaves within her boundaries, the Southern States found themselves flanked on the South-West by a power out of sympathy with slavery and in danger of becoming hostile to it. The maintenance of slavery in Texas and eventually the acquisition of that country were thenceforth viewed by the slave holding interest of the South as matters of first importance, and to be systematically pushed. First the American settlers refused to obey the Mexican decree of emancipation. And in order to avoid insurrection, the Authorities permitted it to be understood that the decree did not apply to Texas. This point gained, the Southern press began vigorously to agitate the necessity of more territory for slavery expansion. An unsuccessful attempt was made in 1830, by President Jackson to purchase Texas. It was not long, however, until the Mexican Government gave the Colchists grounds for complaint. This eventually led to insurrection and to the Texans declaring for independence, in 1836. The Constitution of the new government confirmed slavery within its jurisdiction and surrounded it with all possible guarantees. The United States Government, up to this point maintained a neutral attitude. But in less than a year application was made by the New Republic for admission into the Union. However, the North saw in the invasive emigration, the revolt and the proclamation of independence premeditated attempts for the extension of slavery, and the annexation did not take place until the last days of Tyler's Administration in 1845. *(1)

The outburst of anti-slavery sentiment, in the early thirties was quickly responded to by the friends of slavery. Mr. Greekey informs us "that the Southern journals and other oracles, imperiously wrathfully demanded the instant suppression (of anti-slavery sentiment) under the usual penalty of a dissolution of the Union. To which was added the annihilation of Northern prosperity..... Through the retributive withdrawal of Southern trade". *(2) He quotes from the Augusta Chronicle, in the October issue of 1833: "We firmly believe if the Southern States do not quickly unite, and declare to the North, that if the question of slavery be discussed in any shape they will secede from the Union. And that the question must be settled, and very soon, by the sword as the only means of self preservation". *(3) At a public meeting convened in a church in the town of Clinton, September 1835, it was "Resolved that it is our decided opinion, that any individual who dares to circulate with a view to affect the design

*(1) Ibid. 3186-7.

*(2) American Conflict V.1, p.123.

*(3) Ibid.

of the abolitionists, any of the incendiary tracts or newspapers now in course of transmission to this country, is justly worthy in the sight of God and man of immediate death"*(1) Webster, alluding to this period in his memorable speech in 1850, said "The press is violent everywhere. There are outrageous reproaches in the North against the South and there are reproaches as vehement in the South against the North".

President Jackson in his annual message to Congress, December 1835, urged the necessity of taking measures to prevent the circulation of anti-slavery literature". "I would " he insisted "call the special attention of Congress to the subject, and respectfully suggest the propriety of passing such a law as will prohibit under severe penalties, the circulation in the Southern States, through the mail, of incendiary publications, intended to instigate the slaves to insurrection".

The annexation of Texas 1845, and the Mexican War in 1846-48, were pro-slavery victories. The latter adding territory from which the unsuccessful Wilmot Proviso failed to exclude the slave-system. The clause containing this proviso (that no part of the territory to be acquired should be open to the introduction of slavery) was naturally fought by the pro-slavery men, and though they finally won out, the principle continued to be a burning issue even after its temporary rejection. *(2) This Proviso is worthy of notice, in that it constituted the basis of the new Republican party formed eight years later, and upon which President Lincoln was elected.

Mr. Calhoun of South Carolina, the leading figure in the pro-slavery ranks, had endeavored in 1837, to have the slave States obtain from the Senate declarations which would cover all the questions of Federal power over the institution of slavery. The fifth of a series of six resolves which he drew up attracted considerable attention. It related to the territories and to the District of Columbia, and was as follows: "Resolved that the intermeddling of any State or States or their citizens, to abolish slavery in this District, or any of the territories, on the ground or under the pretext that it is immoral or sinful, or the passage of any act or measure of Congress with that view, would be a direct and dangerous attack on the institutions of all the slave-holding states". *(3)

By 1847, the South had come under the leadership of Mr. Calhoun, to question the right of Congress to prohibit slavery in a territory. The exercise of such a power, it was held, would be a breach of the Constitution, and leading to a subversion of the Union. The right of Congress to interfere with the emancipation

* (1) Cited fr. Greeley, Ibid. p. 128.

* (2) New Inter. Encycl. Art. Wilmot Proviso.

* (3) Cited From Larned Op.cit ., p. 3492/

of slaves, or with the treatment of them within any of the States had been called in question as early as 1836. In all these controversies, the question of disunion, invariably was appealed to as a threat. *(1)

The next important measure secured by the pro-slavery men in defence of their institution, is the piece of legislation known as "Clay's Last Compromise". It resulted from the discussion over the admission of California to the Union. The great part of the proposed new State lies North of thirty six degree thirty minutes (the dividing line of the Missouri Compromise), but its climate was suited to slavery. If California repelled slavery there was small hope that the remainder of new territory would embrace it. The part of the Compromise directly bearing on slavery provided for the admission of California and the establishment of territorial government in New Mexico and the other portions of the regions acquired from Mexico, without any provision for or against slavery - to declare that it was inexpedient to abolish slavery in the District of Columbia, but expedient to put some restrictions on the slave-trade there, and to pass more stringent fugitive slave laws. *(2)

In 1854, the South, under Pierce's Administration, took another step forward and secured the enactment of a measure providing "that the States which might at any future time be formed in the new territory should leave the question of slavery to be decided by the inhabitants thereof on the adoption of their constitution. This legislation was introduced by Senator Douglas and applied to Nebraska, territories. It was styled by its advocates "Popular Sovereignty" (but more commonly known as "Squatter Sovereignty") And it was the application of the Compromise policy to Nebraska territory; and equivalent to the abrogation of the Missouri Compromise. It opened territory as large as the thirteen original states to slavery. *(3)

The South had now come to adopt Calhoun's doctrine "that slavery was a good, a positive good". And Sedden of Virginia only expressed a widespread Southern conviction of this time, when he remarked "Slavery is with us a democratic and social interest a political institution - the greatest item of our prosperity." *(4)

The repeal of the Missouri Compromise, placed Kansas in the position of a prize, to be contended for by the opposing interests of the North and South. The South lost no time in rushing settlers across the border in order to seize it for the purpose of slavery

*(1)Ibid. 3496. Cooper, Hist.Am.Politics, 1,p.35;and Pol.Sc.Quar.V.6

*(2)Larned, op.cit. p.3499.

(p.403

*(3)Ibid.p.3510;Pol.Sci.Quar.V.6,p.404.

*(4)Cited from Pol.Sc.Quart. V.6,p.404.

expansion. The aggressive men of the free States also hurried men into this territory. The free State men held that slavery was a local institution, and confined to the State where it existed and that if an emigrant passed into the territory with his slaves they were free; while the men of the slave States contended, that slaves were recognized as property by the National Convention, and therefore their masters' had a right to take them and hold them under constitutional guarantees, the same as any other property; that to assert anything else would be to deny the equality of the States within their common territory, and degrade them from the rank of equals to that of inferiors. *(1)

The pro-slavery men had the advantage at first; and with the aid of unscrupulous men from the Missouri border they succeeded in electing a pro-slavery Legislature, and in saddling for a time the notorious Leecompton (pro-slavery Constitution on the new State of Kansas. They having received the Sanction of President Pierce. *(2)

The repeal of the Missouri Compromise was the beginning of the end. The conviction grew throughout the North, that the Union and slavery could not much longer stand together. The jealousies of the North and South had been fiercely excited by the Kansas-Nebraska Bill, and the mad struggle which followed for Kansas. The Kansas-Nebraska Act had been virtually forced upon the North. The South would never consent to the opening of new territory for settlement, so long as they were excluded by Act of Congress from moving there and holding slaves; and inasmuch as treaties with the Indians existed, which could only be repealed by a two-third vote in the Senate, they had the power, to all appearances, at least, of preventing the opening of the country forever. They were only prepared to give their consent on condition that the country should be thrown open on equal terms to the North and to the South, and leave the settlers at liberty to introduce or exclude slaves as they saw fit. *(3) Matters were speedily coming to a head. The last stage reached in the evolution of the Southern theory was "Not only that Congress must guarantee slavery South of a certain line, nor merely that a minority must have as much weight in the Government as a majority, but that a minority might change the Constitution, or secede in case its demands were refused". *(4) Consequently from this time on both sides were mobilizing their forces. The brutal attack on Sumner, the ever increasing fury of the South for slavery, the grow-

*(1) Ibid, also Cooper Hist. of Am. Pol. Bk. 1, p. 72.

*(2) Larned, op. cit., p. 3510; Greeley, op. cit. v. 1, p. 239.

*(3) Larned, op. cit. also Tuckerman, Jay and the Constit. Mov't. for the Abolition of S., C. 7; Douglas, The Constit. and Party Ques. p. 123.

*(4) Pol. Sc. Quart. v. 6, p. 423.

ing popularity of radicals in both parties and other things hurried the Country into the throes of the Civil War. The secession and rebellion of the South marks the last great effort to perpetuate the institution of slavery.

The Pro-Slavery Argument.

As we have already noticed, no systematic or well defined defence of slavery took place until after the year 1830, feeling in the north was rising against the institution, and the great anti-slavery movements began to take shape about this date. In 1832, in the Legislature of Virginia the whole question of slavery was thoroughly discussed and emancipation strongly recommended by many. Also great quantities of anti-slavery literature began to find its way into circulation. The entire wealth of the South was bound up with this institution, her honour was at stake. This goaded the South took a stand and began a well organized defence. The system was defended from Scriptural, moral, social, political and other standpoints, until it came to be viewed as a permanent institution needing not to be apologized for, but worthy of being defended as a positive good, consistent with the highest civilization.

"The formulation of the pro-slavery theory" Mirriam remarks "may be attributed to Calhoun assisted by such clever associates as Stephens and Davis".*(1) These, together with such able writers as Christy, Dew, Bledsoe, Hammond, Elliot, and Harper defended slavery from every conceivable standpoint. It is impossible here to discuss all the varities and shades of arguments advanced by the various apologists.

The Declaration of Independence appears to have been a strong weapon of the Anti-slavery party and the chief rock of offence to the pro-slavery men, hence, we shall confine our attention in this section chiefly to the arguments which circle around the propositions of this document and in the following chapter discuss at some length the economic, religious and ethnological arguments.

The doctrine "that all men are created equal and are endowed with certain inalienable rights" was manifestly not in harmony with the practice of slavery. This, however, did not present any insuperable difficulty. It was either utterly repudiated or weakened by interpretation in the hands of the pro-slavery school. Calhoun declared "That taking the proposition literally, there is not a word of truth in it. It begins with "all men are born" which is utterly untrue. Men are not born. Infants are born. They grow to be men".*(2) He wonders that sensible men should hold such ideas. Hopkins

*(1) Am. Pol. Theories c.6, p.228.

*(2) Cited from Mirriam, Ibid. p.229.

alludes with some contempt to "the so-called self evident truths" of the Declaration of Independence "I have never" he says "been able to comprehend these truths at all. In what respect are all men created equal, when every thoughtful person must be sensible that they are brought into the world with all imaginable differences in body, in mind, and social position". *(1) Taken as an ideal, this doctrine is undeniably a strong incentive "to urge men forward in a constant struggle for advancement". But put into actual practice "the proposition is a sheer absurdity". A high sounding phrase calculated to gratify the pride and ambition of the human heart. And therefore a powerful incentive to urge on the work of the political Revolution which cast off the allegiance of the colonies to the British Crown. As a matter of fact this document was superceded by the Federal Constitution. *(2)

Not only did they reason that men were created unequal, but this very inequality, it was pointed out, was essential to the onward progress of the race "Man is born to subjection, it is the very basis of his nature that the wise should control the weak and ignorant". *(3) Calhoun claims that human civilization depends upon this inequality which exists among men "There have always been and there must always be, a front and a rear rank in the onward progress of humanity; to reverse or confound this order would be to check the advance of the race. This fundamental fact that individuals or races are unequal is not in argument against but rather in favor of social and political advancement". (Works 1:57) *(4) Governor Hammond remarks:- "Slavery is the corner-stone of our republican edifice; while I repudiate, as ridiculously absurd, that much lauded but nowhere accredited dogma of Mr. Jefferson, that all men are born equal". *(5)

Those who did not care to go the length of utterly repudiating this proposition, held that Mr. Jefferson never intended to include the negroes or to confer upon them the rights of American citizenship. *(6) It is unquestionable that he was a slaveholder, and that the great majority of the other signers of the Declaration of Independence were likewise slave-holders. "Surely then, it cannot be presumed that these noble and sagacious men intended to stultify themselves by declaring that the negro race had rights which nevertheless they were not willing to give them". *(7) Mr. Cartwright

*(1) View of Slavery, p. 18.

*(2) Ibid. pp. 18-27.

*(3) Harper, in Cotton is King, p. 555.

*(4) Cited from Mirriam op. cit. p. 229.

*(5) In Cotton is King, p. 637.

*(6) Christy, Ibid. p. 43.

*(7) Hopkins op. cit. p. 25.

argues that it was an importation from Europe, and that "Mr. Jefferson never meant to say that negroes were equal to white men but that white men whether born in England or America were equal to one another". *(1) In short, the doctrine that "all men are created equal" was either wholly repudiated or explained away so as to make it inapplicable to the negroes.

The proposition that all men have "certain inalienable rights among which are life, liberty, and the pursuit of happiness" was explained away in much the same fashion. "Liberty, it was contended, is a blessing only to them who are able to use it wisely". to contend that all men have an equal right to its enjoyment is a sheer absurdity and nonsense." *(2) "To maintain those to be natural and inalienable rights, which the persons supposed to be invested with them can never possibly exercise, consistently either with their own safety, or with the good of the community, is to confound all notions of things, and invert the whole order of nature". Since the primary and unalterable law of nature is that foresight should direct providence reason control passion, and wisdom direct folly.

Ingenious attempts were made to harmonize slavery with "the law of nature" the definitions of Locke, Hall and others on "Civil liberty" were examined. A fallacy, it was pointed out, arose over the confusion of natural rights with liberty. That these two were entirely different was proved by the fact that when you imprisoned a man "you deprived him of his liberty but not of his right, to go where he pleases". *(3) Men were held to be free by nature, meaning "by nature", the condition of humanity before war was known, or during the golden age of the poets. But no such age ever existed" the state of nature signifies not the imaginary condition of men before war was introduced, but the constitution of the mind and temperament which is inherent from his birth in every individual and stamps his character upon his future life". *(4) At this point the slavery apologist could fall back upon Aristotle, there were men (negroes) whose radical characteristics stamped them as an inferior order, therefore they were slaves by nature. And justice required that every man should occupy the position for which nature has designed him. To force him into any other is to contradict and oppose the order of nature and cannot be beneficial either to the individual or to the community. "One thing seems clear and fixed: and that is that the rights of the individual are subordinate to those of the community.....Hence if it be shown that the public good, and especially the good of the slave, demands such a law (i.e. the law which

*(1) In Cotton is King, p.884.

*(2) Bledsoe, Ibid.p.326.

*(3) Bledsoe, in Cotton is King, p.283.

*(4) Hopkins, op.cit.p.97.

ordains slavery) then the question of slavery will be settled". *(1) That the public good did demand that the negro should be retained in slavery was an easy thing to prove. For slavery is the natural condition of the negro, because when set free he seldom fails to grow worse. In slavery he is happier, more contented, more useful and safer than in any other condition. To prove this physiologists and other scientific authorities were freely appealed to "That the negro is an inferior variety of the human race, that by himself he has never emerged from barbarism, and even when partially civilized under the control of the white man, he speedily returns to the same state if emancipated". *(2) Moreover, "the most encouraging results have been achieved by American slavery in the elevation of the negro race in our midst, as they are now as far superior to the nations of Africa, as the whites are to them" *(3) In short it was shown that the negro race, because of its intellectual inferiority was incapable of self-government and self guidance, and must necessarily be taken in hand by the race possessing the intelligence they lacked. This was not a relative relation of exploiter and victim but of guardian and ward.

Further, the pro-slavery philosophers maintained that a society is necessarily composed of different ranks of men. There must be men to perform the menial duties in order to provide the leisure for the higher pursuits. A certain amount of intellectual excellence is better than that all should be equally endowed. Chancellor Harper, makes the startling remark "that it is better that a part should be fully and highly cultivated and the rest utterly ignorant". *(4) He bases this statement on the plea that a society consisting of all gradations from the servile class up to men possessing extraordinary endowments, is better than that all should be on the same dead level. The whole society receives the benefit of the efforts of men of superior attainments. He even goes a step further and asserts "President Dew has shown, that the institution of slavery is a principal cause of civilization. Perhaps nothing can be more sure than that it is the sole cause". *(5) Savage man will not labor more than is absolutely necessary to maintain his existence. This aversion to labor can only be overcome by coercion. Without this coercion which is secured through slavery, there could be no accumulation of property, no provision for the future, none of the tastes and elegancies cultivated, which are essential to civilization. Hence he who obtains control of another's labor, first begins to accumulate and provide for the future and the foundations of civilization are laid. Therefore they

*(1) Bledsoe op.cit.p.227-28.

*(2) and *(3) Elliot, Introd.to Cotton is King, p.13.

*(4) In Cotton is King, p.576.

*(5) Ibid.p.551.

who denounce slavery tell us that man was never intended for civilization or to realize the noble (latent) faculties with which his Creator has endowed him, but to walk the earth as a "brute biped".

"The qualification for liberty "Calhoun remarks "is not inborn in men; it is not a natural inheritance, given to every man, but a condition dependent upon a degree of human development. Liberty is the highest reward bestowed upon mental and moral development; combined with favorable circumstances. It is not a status into which men are born, but one for which they must struggle and which can only be reached by those most highly endowed. Liberty is not given a man at the beginning of his career, but is the distant goal which he reaches at the end". *(1) Here we see manifest traces of the contemporary scientific philosophy with its doctrine of the survival of the fittest.

The important thing to notice, and to lay emphasis on is the manner in which the pro-slavery men viewed the question of personal liberty, and political freedom. Their departure, at this point, from the views held by the anti-slavery party is the clew to the whole philosophical controversy between the opposing schools. The pro-slavery apologists rejected the doctrine of the natural right school of political theory, and held that liberty could only be justly claimed by those who were qualified to use it wisely; while the abolitionists held that it was the natural right of all men; something that every man could claim by virtue of his being a man, and therefore something which he could not be justly deprived of.

The pronounced pro-slavery advocates rejected the individualistic philosophy of the eighteenth century, as absurd. The proposition "all men are created equal" was scoffed at; and the doctrine that all men "are endowed with certain inalienable rights" was either denied or weakened by interpretation. They pointed out that political liberty and the exercise of political privileges, can only be justly claimed by those who are qualified to use them by the possession of certain physical mental, and moral qualities. that an inferior race naturally incapacitated for political life may legitimately be made the property of a class or race politically capable, may be even justly deprived of all rights and civil status. They further held that the institution of slavery as it existed in the Southern States was a highly developed patriarchal system conducive to the highest interests of the masters and slaves and calculated to endure permanently. While the radical abolitionists claimed that liberty is the birth right of all men; that all men are equal in the possession of "certain inalienable rights, among which are life, liberty and happiness"; that the negro ought to be given possession of these rights, which are his by virtue of his being a man and of which he was unjustly deprived by slavery.

*(1)Cited from Mirriam, Am. Pol. Theories, p.235.

In short that slavery was founded on fraud and oppression and was the vilest of existing tyrannies. *(1)

While we have no apology to offer for the indefensible position of the South slaveholder, still we must admit that it is easy enough to condemn an alien sin which concerns only men widely separated from us by years and commercial or political interests. These Southern apologists for slavery were not all fools. It is one thing to condemn a system that in no way concerns us politically or financially - another thing to be in the position of the men of the Southern States, whose entire property was bound up in a system which they had inherited from their ancestors, and which had taken root before men had seriously begun to discuss its legitimacy. Many of the slavery apologists were hard-headed honest men; who if they arrived at conclusions which are entirely opposed to what appears to us to be the common dictates of justice and morality; they arrived at these conclusions because their philosophical view-point was largely shaped for them by education, environment and personal interests. The problem they were face to face with, was not whether of two economical and social systems one based on slavery was better than one based on free labor. It was rather whether situated as they were with a negro population on their hands numbering millions it was better that they should make the change to a free labor system. There is no doubt but that the great majority of them would have done so could they have seen the way clear to do it.

*(1) Lowell, Anti-Slavery papers, V.2, p.55.

CHAPTER III. The Economic, Religious and Ethnological Arguments.

Any dissertation on slavery would not be complete without some discussion of the manner in which the economic, religious and ethnological elements have figured in shaping man's opinion and soothing his conscience in regard to slavery. The religious and ethnological arguments used by apologists in defence of this institution are in a sense inseparably connected; as mythology has invariably traced man's origin and his religion to the same divine source: when one of these arguments failed the other was always ready to hand. While the economic factor is at the very root of slavery. The desire to obtain release from drudgery by possession of one or more of one's fellow beings appears inherent in the nature of man; and even among the lower animals we find this tendency. Certain species of ants are accustomed to capture other species and force them to provide food for them. Among savages and the inferior tribes of civilized man, this tendency usually manifests itself in the habit of assigning all disagreeable work to the women the men only doing those things which please them. And speaking of man in general, Adam Smith claims that owing to his pride, which makes him love to lord it over others: "wherever the law allows it and the nature of the work can afford it will generally prefer the service of slaves to that of freemen". *(1) These conditions were found in West Indies and in the Southern States. Mill holds, that in countries possessing rich soil and under-peopled in proportion to their cultivable land, the balance of profits between free and slave labor was greatly on the side of the latter. *(2) The advantage of slave labor was, - That in the newly settled colonies, where the tendency is to dispersion of labor, it admitted of keeping the masses of labor together and without it such productive operations as the cultivation of sugar or cotton, which demand much combination of labor, could not have taken place so soon as they did by means of it. Alisin, who writes from a strong pro-slavery point of view, remarks "So efficacious had their labor proved in clearing of American jungles, and bringing into cultivation the rich soil which had accumulated during the several thousand years from the vegetable and animal remains of the primeval forests, that the importation of negroes had come to be attended with a very great profit." He further adds: "How revolting soever it may appear to our feelings that so considerable a portion of the human race should have been torn from their native seats and subjected to forced labor in a distant hemisphere nothing is more certain than that it was a step ~~unavoidable~~ in the onward progress of improvement, and which, if rightly regulated, afforded the best prospect of affecting the ultimate civilization of the negro race". *(3)

*(1) Wealth of Nations, Bk. III, C. 2.

*(2) Princ. of Pol. Econ. Bk. 2, c. 5, p. 152.

*(3) Hist. of Europe, v. 5, c. 31.

The slaveholders of the Southern States sought to justify the enslavement of the African races on the argument that every thing in the world of economic value has been placed there for the use of man. If unprogressive tribes possess territory which they do not improve, it must be yielded to the claims of civilization. In likemanner ports, harbors, mines and other facilities for commerce and manufactures must be placed at the disposal of commerce. Now "Africa has long possessed a superabundant population of indolent, pagan savages, useless to the world and to themselves". Hence it is right "that the great storehouse of labor in Africa should be opened to the benefits of the human race". (Elliott, In Cotton is King.p.736.)

Slavery appears to have been impracticable in the Northern States, the soil of New England being entirely unsuited to the existence of large manorial holdings cultivated by slave labor. Hence slaves could only be profitably employed in the few luxurious establishments found in the large cities of these states. *(1^t

In the Southern States, however, where a less diversified form of tillage was required and which admitted to labor being organized in large gangs slavery found its natural home and soon came to be the prevailing form of labor. Where slave labor flourished, the tendency has been for labor to be despised by the free inhabitants. Consequently in the South slaves who were at first merely a convenience, "became with the progress of time an economic necessity". *(2) This did not pass unobserved by the men of the pro-slavery school. Governor Hammond in his defence of the system remarks: "The question is, whether free or slave labor is cheaper to us in this country, at this time, situated as we are. And it is decided at once by the fact that we cannot avail ourselves of any other but slave labor". *(3) This, however, is not an apology for the employment of slave labor. Christy, whose writings are embodied in the same collection as the one just quoted from remarks *(4) regarding the benefits which flow from the existence of the slavery regime in the United States: "As new grazing and grain growing States are developed and teem with their surplus productions, mechanics are benefited and planters released from food-raising can employ their slaves more extensively upon cotton. It is thus that our exports are increased, our foreign commerce advanced, the home markets of the mechanic and farmer extended, and the wealth of the nation promoted".

*(1) Cairnes, the Slave Power, p.42.

*(2) Seager, Introd.to Economics, p.22.

*(3) In Cotton is King, Letter 1, p.647.

*(4) Ibid, p.59.

The tremendous increase in the employment of slave labor and the phenomenal growth in the production and exportation of cotton, the great Southern Staple, soon led to a widespread sentiment, that Cotton as King ruled in regal splendour, and that in some way the welfare and even the peace of the world depended on perpetuating the reign of King Cotton. Christy in pointing out the extent to which the financial interests of other nations were bound up with the existence of Southern Slavery, remarks "Slavery is not an isolated system, but it mingled with the business of the world.... Capital and labor in Europe and America, are largely employed in the manufacture of Cotton. These cotton goods, to a great extent may be seen freighting every vessel, from Christian nations, that traverses the seas of the globe; and filling the warehouses and shelves of the merchants over two-thirds of the world. By the industry, skill, and enterprise employed in the manufacture of cotton mankind are better clothed, their comfort better promoted, and general industry more highly stimulated". *(1) Harper of South Carolina declares emancipation a dangerous revolutionary experiment that would put an end to the cultivation of our great Southern Staple. He asks "Can any sane man contemplate such a result without terror?Our Slavery has not only given existence to millions of slaves within our own territories, it has given the means of subsistence and therefore existence to millions of freedmen in our confederate States; enabling them to send forth their swarms to overspread the plains and forests of the West and appear as harbingers of civilization.....Does not self-defence, then demand of us to steadily resist the abrogation of that which is productive of so much good? It is more than self-defence. It is to defend the millions of human beings who are far removed from us, from intense suffering, if not to be struck out from existence. It is the defence of human civilization". *(2) Annihilate slavery and its natural product, cotton, and it was claimed the success of the Union would be annihilated, "England would feel the shock from Land's End to John O' Groats", "every manufacturing country" in Europe would suffer. Hammond asserts: "there is not a spot of earth but would feel the sensation, the factories of Europe would fall with a concussion that would shake down castles, palaces, and even thrones". *(3)

The unhappy conditions existing in St. Domingo and the British West Indies were constantly referred to as a warning against the abolition of slavery in the Southern States. Harper claimed it would result in distress and poverty and that bankruptcy would everywhere follow "The most beautiful garden spots of the South would in the course of a few years, be turned into a jungle, with only here and there a forlorn plantation". *(4)

*(1) op. cit. p. 55.

*(2) Ibid. pp. 616-618.

*(3) Ibid, p. 680

*(4) Ibid, p. 411.

The above arguments are apparently based on the hypothesis that the European races are unfitted by nature to perform the labor required of them in the semi-tropical climate of the Southern States; and on the theory which regards the growing of cotton as the ordained function of the negro race; an assumption that was discredited even during the days of American slavery, when it is remembered that the Southern parts of the Union are not hotter than the Southern parts of Europe. *(1) The disadvantages of slave labor are so widely known that it is unnecessary that we should go into any lengthy discussion of these arguments, further than to note the influence of slavery on the development of the Southern States. Slave labor is given reluctantly, and is therefore more expensive than free labor; it is lacking in skill and versatility, hence only can be employed in the production of the few things which do not require these traits; could it be employed in manufacturing the danger from insurrection resulting from the congregating of large numbers of slaves in the manufacturing centres would effectively prevent it being thus used. Cairnes remarks: "the simple merit of slave labor as an industrial instrument consists in its capacity for organization". *(2) This feature as we have already noticed, accelerated for a time the opening up of the new and fertile lands of the South and made possible the production of Cotton, at a handsome profit, by an unscientific surface tillage constantly extended over new lands. This point once reached slavery effectively retarded the further development of the country.

The institution of slavery shut the South up to agricultural pursuits, and practically shut it out from any share in the economic progress of the nation. In short while emigration streamed into the Northern and Western States few immigrants settled in the South. "It remained" remarks Dr. Bulluck, "in 1860, as it had been in 1790, exclusively an agricultural region, Slavery had become therefore a distinct impediment to the economic progress of the South". *(3)

II

Religion and Slavery

All the religions of the Ancient world appear to have recognized and sanctioned slavery. The nations of antiquity, in proportion as they attained to prominence and gained power, were inclined to attribute to themselves a divine or at least a noble origin. The legendary heroes of Greece were the offspring of Zeus. It was the most natural thing for their descendants to think it just that the barbarian peoples of meaner origin might be used by

*(1) Cairnes, The Slave Power, p.43.

*(2) Ibid, p.73

*(3) Introduct. to the Study of Economics, p.26.

them as hewers of wood and drawers of water. By a similar unscrutable arrangement of the deity an inferior tribe among the Hindus sprang from the feet of Brahma and was declared by Manu to be naturally fitted for the servile condition. *(1) The more modern Mohammedanism regards slavery as a normal state of society; and hence makes no attempt to remove it. *(2) It has, however, been reserved for Christian peoples, during the last century, to push this tendency to its most absurd extremes.

The oppression of the negro races which has been common among the Christian peoples of modern times has been persistently traced, by great numbers of slavery apologists to the Benign Father of us all, and their wrongs placed upon the broad shoulders of their Ancestral Ham. Among the chief exponents of the scriptural arguments for slavery, in the United States, may be mentioned the names of Stringfellow, Hodge, Bledsoe, and Hopkins. The stand these writers took was, - that not only had the peculiar institution of the South been assailed, but the Bible itself had also been impugned, and therefore it was their duty to vindicate the very legislation of Heaven itself against aspersion. *(3) In the light of recent historical research most of their arguments appear extremely puerile and show an utter lack of appreciation of the spirit of the Hebrew Scriptures. Starting from the text: "Cursed be Canaan, a servant of servants shall he be to his brethren", they endeavored to prove conclusively that negro slavery had the Divine sanction. From His word there can be no appeal" was their maxim. *(4) The abolitionists were regarded as having no respect for the sacred text; and were even charged with infidelity. Bledsoe remarks "they seem to consider themselves above the Scriptures, and they put themselves above the law of God". *(5) This method reasoning, of course, arose from the older and unscientific view that the Bible is verbally inspired and that every part is of equal authority, with every other part; in addition to that tendency in human nature to trace every unnatural custom of long standing to the Divine sanction. Viewed in this light the Bible presents a strong apology for slavery. It is recognized in the Decalogue: "Thou shalt not covet thy neighbor's housenor his manservant, nor his maidservant (Ex.20:18). Slave legislation occupies more space in the Book of the Covenant *(6) than any other rubric of Hebrew Society. Abraham, the father of the faithful was a large slaveholder and God blessed him by giving him flocks and herds, manservants and maidservants, &c. (Gen.24:35) God, not only gave slaves to Abraham as evidence of His blessing, but he commanded the Jews to make slaves of the heathen round about them.....and ye shall take them as an inheritance for your children. after you, to inherit them for a possession; and they shall be your

*(1) Rees Encycl. Art. Caste.

*(2) Schaff, Hist. of Christianity, V.1, p.190; also the Koran, C.24

*(3) Bledsoe, in Cotton is King, p.337.

*(4) Hopkin, View of Slavery, p.6.

*(5) op.cit. p.379.

*(6) Ex.20:23--23:33.

bondmen forever (Lev.25:44,46.) Not only is slavery not condemned in the New Testament, but on the contrary Paul maintained the duty of obedience on the part of the slave, as well as the kind treatment of slaves on the part of the masters. (Eph.6:5,9) Moreover the term servant or slave is spiritualized. God Himself as a great house-father, is set forth with especial frequency as the master of a vast and well ordered house-hold. The forces of the Universe are his slaves, his attendants who do his pleasure (Ps.102:20,21). In his control of the great actors in history, he uses them as his obedient slaves. Nebuchadnezzar and Cyrus are as much his servants as Abraham, Moses and David. The collective and idealized Israel is called the servant of Jehovah (Isa.Chs.40-56) Paul styles himself the slave of Jesus Christ (Phil.1:1) Again it is written *(1) "His slaves shall do him service, and they shall see his face". And to heighten the color and expressiveness of the picture, it is added: "His name shall be on their foreheads" reminding us of the brand of slavery the inscription of the owners' name upon the body of the slave. (Rev. 22:4)

Note: The distinction between slave and freeman was cancelled according to Paul's conception, only in Christ. Outside the circle of the redeemed society this distinction might still prevail and even be regarded as valid. Paul hardly contemplates the reorganization of a society which does not rest on the spiritual change of the individual as a basis. In the outside world slavery might still be regarded lawful as a human institution; might even have a temporary divine sanction. *(2)

Slavery, as we have seen, existed among all the civilized peoples of antiquity. It was therefore inevitable that it should find a place among Hebrew customs and in Hebrew Legislation. However, it is conclusively proved by modern Biblical critics *(3) that the patriarchal life depicted in Genesis, is an idealization of the past rather than a transcript of reality. And the Hebrew Legislation incorporated in the Pentateuch consists of three well defined strata of Hebrew Law the product of the ninth or eighth the seventh, and the fifth centuries B.C. respectively. And hence the enactments regarding slavery of the Pentateuch are the result of the Israelitish legislation of these respective periods, and have not been, as the apologists assumed, mechanically handed down to the Hebrews by Jehovah their God. Moreover, the Scriptures are the history of the religious experiences of a God intoxicated people as interpreted by the greatest religious geniuses of any age; a progressive revelation giving an increasingly clearer and fuller revelation of the Divine will and nature. At their more advanced stages laying down principles, which are diametrically opposed to all forms of oppression.

*(1)Rev.22:3,4.

*(2)Hastings' Bible Dict. Art, Slavery.

*(3)Vide, Driver, Duhm, Cheyne, Ewald, &c.

III.
The Ethnological Arguments.

As already noted, the Ethnological arguments, employed by slavery apologists, are closely associated with those deduced from religious writings. The germs of this form of defence appear in the declaration of the Hebrew Scriptures: "cursed be Canaan; a servant of servants shall he be to his brethern". (Gen.9:25) And in the priestly legislation: "And as for thy bondmen and thy bondmaids, which thou shalt have, of the nations which are round about you.... they shall be your bondmen forever". (Lev.25:44,46). This phenomenon in Ancient Society was the logical result of the manner in which slaves were procured. The slave was the captive taken in war, and as such was regarded as an object of property which might be destroyed or used at the pleasure of its owner. *(1) The very fact that a tribe should be conquered in battle implied the inferiority not only of the tribe, but also of its duties, and was sufficient proof that its members might be held in perpetual bondage. Thus Plato, while he admits the lawfulness of slavery condemns the practice of extending it to the Hellenes. And Aristotle quoting from Euripides, says:

"'Tis lawful Greeks' rule barbarians". *(2) Coming down to Christian times we find a certain amount of this same spirit persisting. Pope Innocent III, and his successors declared that the entire Jewish nation was destined by God, on account of their sins, to perpetual slavery, *(3) And Christian peoples of more recent times thought it the proper thing to enslave Moslems or heathen.

Not until the 19th century was the above tendency developed into a theory and a divine origin attributed to slavery by tracing its natural cause to an inherent inferiority both physical and mental of the negro branch of the human race. Among Englishmen Thomas Carlyle gives expression to it in his usual strong language: "You are not 'slaves' now, nor do I wish if it can be avoided to see you slaves again, but decidedly you will have to be servants to those born wiser than you, those born lords of you, servants to the whites if they are (as what mortal can doubt they are?) born wiser than you. That you may depend upon it my obscure black friends, is and was always the law of the world for you, and for all men to be servants, the more foolish of us to the more wise.....Heaven's law are not repealable on earth, however earth may try". In another connection in the same essay Carlyle remarks: "It were better that the work did come out of him! It was the ~~meaning~~ meaning of the gods with him and with us, that his life should turn to use in this creation,

*(1) Xen. Cyr. 7, 5; Institutes of Justinian 1, 3.

*(2) Rep. 5, 469; Pol., 1, c. 2.

*(3) Van Dollinger, Studies in Europ. Hist., c. 9.

and not be poisoning the thoroughfares, as a rotten mass of idleness agreeable to neither heaven or earth". *(1)

In the United States the race problem early obtruded itself. Even before the Revolution the opinion that the negroes would become a burden, led the colonists to oppose the introduction of slaves. And after the Declaration of Independence several of the States began to enact laws to emancipate the slaves. The proslavery men, however, claimed that it was easier to manage the slaves than the free blacks. Consequently the work of manumission, they said, could not go on, and accordingly laws were enacted forbidding it. *(2) The Southern States held, that if the free States felt themselves so burdened by the few Africans they had set free the evil that they would bring upon themselves by letting loose a great body of slaves would be unbearable, even suicidal. "Would crush out all progress in civilization".

In the formulation of the proslavery theory, the Southern slave holder turned to Aristotle's philosophy, that some men are slaves by nature and others free men by nature; and deduced the rule: "That the man who is by nature fitted for freedom, cannot in justice be made a slave; and the man who is by nature fitted for slavery cannot in justice be made a freeman. For justice requires that every man should occupy that condition for which nature has designed him. To force him into any other is to contradict and oppose the order of nature and cannot be beneficial either for the individual himself or to the community". *(3) Now in the opinion of the Southern slave-holders if ever there was a race of men fitted by nature for slavery, the African race must be admitted to be in that condition. The general emancipation of the negroes would not only be ruinous to the masters, but would also in the highest degree be injurious to the slaves. It would thrust upon the country millions of human beings utterly unfitted for freedom and deprive them of the protection and government of capable masters. "The very laws or institution" remarks Bledsoe, "which is supposed by fanatical declaimers to shut out liberty from the negro race among us, really shuts out the most frightful license and disorder from society..... In preaching up liberty to and for the slaves of the South the abolitionist is "casting pearls before swine" that can neither comprehend the nature, nor enjoy the blessings of the freedom which is so officially thrust upon them". *(4)

Attempts were made from a physiological point of view to prove the negro's incapacity for self direction and therefore for freedom. His lung expansion it was claimed was less than that of the white man

*(1) The Nigger Ques. Miscel. Essays, V. 7, pp. 106, 86.

*(2) Christy in Cotton is King, p. 41

*(3) Ibid, p. 97

*(4) In Cotton is King, p. 289.

And since the amount of muscular and mental activity is in direct proportion to the activity and development of the pulmonary organs and as the negro consumed less oxygen than the white man he was inferior to him. *(1)

A stronger argument was deduced from the prognathous character of the negro's head. The skull and nervous system approached somewhat towards the monkey type. *(2) Upon this the theory of the negroes' inferior intelligence was built up. He is a creature of such indolent habits, and so devoid of will-power, that if left to himself he would perish in the midst of plenty rather than do the work required of him. Hence, his natural place is one of subordination to the will of the white man. So powerfully does the white man's will act upon them that: "however, disinclined to labor the negroes may be, they cannot help themselves; they are obliged to move and to exercise their muscles when the white man acquainted with their character wills that they should do so. They cannot resist that will". *(3)

These ethnological arguments do not stop at proving that subordination to the white man is the negroes' normal condition. They go further and attempt to prove that social and political equality with the former is abnormal to him, whether he be educated or not. In the countries of Europe and the States of the Union where slavery is abolished by law: "The order of nature has been departed from and an artificial state of things introduced". *(4) The negro if left to govern himself will go to all manner of excesses. Consequently he "requires government in everything, the most minute: even in his meat, drink, clothing and hours of repose". *(5)

Summing up:- The position of the radical pro-slavery argument practically amounted to saying, - The South has at last arrived at the irrefutable position, that our Government rests upon the great physical, philosophical and moral truth that the negro not being equal to the white-man and unfitted for self-government; slavery and subordination to the superior race is therefore his normal condition, and the one best suited to advance the interests of both races. A truth which must eventually receive wide recognition and approval throughout the civilized world. While, the anti-slavery school held that the enslavement of the African race was a great moral wrong. We may quote Jefferson here, who in some respects was a generation ahead of his time "The whole commerce between master and slave" he says "is a perpetual exercise of the most boisterous passions; the most unremitting despotism on the one

*(1) Cartwright Ibid. p. 698.

*(2) Ibid. p. 710.

*(3) Ibid. p. 719.

*(4) Harper Ibid. p. 570.

*(5) Cartwright, Ibid, p. 727.

part, and degrading submission on the other".....The man must be a prodigy who can retain his manners and morals undepraved by such circumstances.....Indeed, I tremble for my country when I reflect that God is just, that His justice cannot sleep forever". *(1)
The abolitionists claimed that the enslavement of the African race was not merely wrong in principle, socially, morally and politically it was also a palpable violation of the laws of nature. "It was not an evil merely, but a sin to be got rid of at any cost, even were it necessary - at that of national dissolution". *(2)

*(1)Poole, Anti-Slavery Opinions (before 1800),p.25.

*(2)Cairnes, The Slave Power, p.26; Vide also p.166 ff.

