

The Ideological Origins of Chattel Slavery

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Whenever I am in the city of Liverpool I feel quite connected to it like I am in an American city, a city with familiar images, histories, and dynamics. In many ways it is like Charleston, Savannah, Baltimore, and my own city, Philadelphia. Of course the link is truly historical but Liverpool has a visceral impact on me, a descendant of enslaved Africans whose ancestry goes to Sudan and Nigeria. I will never know if the ships that took my ancestors to the Americas were built and outfitted here at the Mersey.

Nevertheless I am honored to be able to give the inaugural lecture for the new International Slavery Museum in this city so intimate with the history of slavery and its abolition. Voices and faces that sent their grand goodbyes to sailors and soldiers as they boarded vessels that would take them to Africa and the Caribbean must haunt the inner chambers of old buildings on some of these ancient streets.

I will now raise another voice, a voice crying from the wilderness, a voice seeking to make sense out of what was senseless. How ironic that a descendant of captured Africans stands now in this place to speak of the awful horror for which this city and nation was one hub.

Slavery is not a passé subject although it has an ancient history. Modern countries in Africa, Asia, and the Americas still suffer from relentless and peculiar forms of human

bondage, whether it is the Saudi Arabian businessman who holds a Filipino against her will or an American who employs a Mexican and works him for endless hours without relief knowing that the Mexican without legal papers will not report abuses for fear of deportation. In these cases, of course, we have individuals willing to “sell” their labor for food and shelter. There are severe situations of labor stress in economies like China and India where people are forced to work in horrible conditions for little pay. They are often taken advantage of but it is not the same as the slavery that uprooted millions of Africans.

Slavery is a pernicious activity. It was not outlawed in Saudi Arabia until 1963 and in Mauritania until 1980. Even now in 2007 we still hear and read of cases of human slavery in Sudan and Mauritania. What is it about societies that support and encourage the enslavement of people deemed infidels, inferiors, pagans, or just workers? It is often true today as it was true from the 15th to the 19th centuries that the dissonance between personal greed and personal morality overwhelms the situation. Greed tends to win out. Obviously there is fundamental hypocrisy in all attempts to degrade other humans as less than one’s self. What could be any more revealing than the European whites in America who declared for their own independent rights while they held in bondage more than 100,000 Africans?

Thomas Jefferson went so far as to pledge his fortune, which included nearly two hundred enslaved Africans, in support of the belief that all men, except Africans, are created equal and endowed with inalienable rights to life, liberty, and the pursuit of happiness. This remarkable ability to erase humans who were considered inferior, except when Thomas Jefferson took the young black teenager Sally Hemings to his bed, is nothing short of an amazing moral contradiction. Slave-holding founders of the American

ideal of liberty based their own drive for independence on high-sounding words and doctrines that they denied to the humans they held in bondage.

Even today one asks, “How could the most beautiful words of liberty be uttered by those who prosecuted the most heinous of crimes against Africans?” Of course, this contradiction did not escape the English Loyalist Governor Thomas Hutchinson who observed that there seemed to be “some discrepancy between the declaration that all men are created equal and the practice of depriving more than a hundred thousand Africans of their rights to liberty.” The Englishman Thomas Day said it was truly “something ridiculous in nature to see an American Patriot signing resolutions of independence with one hand while holding a whip over enslaved Africans with the other” (Wallace, 2006).

The thread that held these contradictions together was the acceptance of the idea that Africans were *chattel*, property. By the time of the Declaration of Independence in 1776, the English Colonies of North America had experienced more than one hundred years of steady indoctrination in the legal idea that Africans were chattel and on the moral idea that Africans had no rights to life, liberty or the pursuit of happiness that whites had to respect.

Thus, the origin of race and racism in the seventeenth century became a basis for categories of subordination and hegemony. Although today we are aware that the race myth is problematic the European colonists and slave traders of the 17 and 18th centuries were sure that there were genetic, and biological differences that constituted whites as superior beings to blacks. Thus, what whites were constructing was something more sinister than ritualistic racial bigotry; they created an oppressive systematic form of

dehumanization of Africans. One might claim that the leading opinion-makers, philosophers, and theologians of the European enslavers organized the category of *blackness* as property value. We Africans were, in effect, without soul, spirit, emotions, desires, and rights. Chattel could have neither mind nor spirit.

Georg Hegel had argued in the 18th century that spirit was the leading national characteristic because it contained the past and the future in a pregnant moment of the present. All people had spirit, emotion, and desires. Of course, the continental European ideas of Hegel and the subsequent notions of Marx played a role in the articulation of the property idea though ostensibly not about black people. Hegel was the philosopher of importance in Germany during Marx's youth. Almost all of the universities taught the Hegelian idea of historical development and Marx soon gave up legal studies to pursue philosophy so enamored was he of the Hegelian devotion to history. In fact, Hegel believed that each period in a nation's history had its own leading characteristic that included ideas that preceded it as well as being pregnant with ideas that would succeed it. Hegel was able to advance the notion that world history was nothing more than the self-realization of the Absolute, a personification of the world-self.

Marx, many years later would argue that it was not ideas or national personalities that ruled history but the economic conditions of human lives, and that all alienation is economic and social not spiritual or metaphysical. Since slaveholders owned enslaved people these people, who were not human in the sense of rights and aspirations, according to the whites, were simply means of production and capital accumulation. We could have been robots as far as the slaveholders were concerned.

Actually the enslavement was something far more brutally inhuman in its end result because although Africans were defined legally as chattel; Africans could be hurt physically and mentally. One has to understand that the enslaved Africans were not laborers but *slaves* and *slaves* in the mind of the capitalists-colonialists were less, much less than laborers. We were, in fact, nothing but *chattel*. Our alienation was deeper than any social or economic conditions could render humans; we were, in the minds of some whites, *sub-human*. There is the moral and ethical problem of our situation during the enslavement. Chattel produced *chattel*. Humans defined as chattel made products and created wealth that is directly linked to the present condition of status in the West.

Let me add here the sentiment of Eric Williams in *Capitalism and Slavery* that the triangular trade stimulated British industry. In fact, Africans, who were not kidnapped, were often purchased with goods manufactured in Britain. Because of British dominance on the seas, Africans were largely transported on British ships. The sugar, cotton, molasses and indigo produced in the Americas by Africans created new British industries. Furthermore, the maintenance of the plantation system, including owners and the enslaved, produced new markets for British companies. According to Eric Williams by the middle of the 18th century there was hardly any British town of any size that was not in some way connected to the slave trade or colonial rule. Thus, the accumulation of capital in England that helped to fuel the Industrial Revolution was made on the back of the trade. As enslaved Africans made the sugar colonies the sweetest prizes of imperialism in the Caribbean, the Africans in the American South made cotton king of the realm in Manchester. My point is that there is a direct line from the past to today.

Various forms of human bondage still exist in our world today. As horrendous as they seem to us in our modern sensibilities they are nothing compared to the massive holocaust that struck the African continent during the great disaster called the European Slave Trade. This search for wealth was equivalent to the madness of a Gold Rush; it was the iconic capitalist venture of its era, just as information technology might be today. If a European person was not in the game, he or she felt that they were missing out on an opportunity for great wealth. Given the strength of the idea that Africans were property, chattel, that could bring great wealth some Europeans dubbed Africans, “Black Gold.”

Let us see now if we can shed more light on the meaning and processing of the term *chattel slavery*. This term is at the very core of the debasement of Africans that accompanied this massive transfer of people against their wills from one continent to another. Chattel slavery has been rudely misunderstood, treated almost gingerly like it was some decent term to describe a quaint practice that was acceptable to high society.

There are reasons for the way *chattel* has been understood or misunderstood by contemporary society. In the first place, there is this belief that the forced migration of Africans to the Americas and Caribbean was simply the outgrowth of a demand for labor on the part of an expanding Western economy.

The theory is that the population decimation of the Native Peoples in the Americas and Caribbean led to a more intense demand for labor for the production of goods and metals. Labor, of course, is one thing; chattel slavery is an entirely different thing.

Thus from the 15th to the 19th century the colonizing empires led by Portugal and Spain, but eventually being dominated by the Dutch and English, found an overwhelming demand for labor that could not be satisfied by the ordinary settlement of European colonists. They were unable to meet the demands of the commercial-agricultural and mineral production.

Although by 1650 there were 800,000 white settlers in the Americas and Caribbean (Rosenblat, 1954) the demand for labor persisted and was coexistent with the requirements for larger profits. The whites exploited the Native Peoples eliminating them at a horrendous rate through work, disease, and sport. Ultimately what this situation led to was a demand for even more labor as Africans were kidnapped, captured, and bargained for on the coast of Africa and transported to areas that became Peru, Ecuador, Colombia, Brazil, Venezuela, Guatemala, Nicaragua, all of the major islands and many of the minor islands in the Caribbean, Mexico and the United States. Such massive removal of Africans from Africa set the foundation for the extensive African Diaspora. Despite the risks to themselves and their human cargo, the captains of the ships believed that their activities would increase their wealth. So they did it without thought for themselves and certainly with little thought for the lives of Africans whose suffering during the Middle Passage, that horrendous crossing between Africa and America, has been described by numerous writers (Asante, 2007).

According to the demand-for-labor theory, because Europeans, with the exception of some northern Europeans, did not migrate in high enough numbers due to the cost of transportation and resettlement, the only way that the colonies could survive was to turn to the enslavement of Africans.

While slavery was not unknown in Europe it is safe to say that it was more common in Eastern and Southern Europe than it was in Northern Europe prior to the 16th century. The Iberian Peninsula actively practiced slavery during this time but by the 15th century even in Spain there was a waning of the enslavement of Arabs, Moors, Jews, Berbers, and Slavs. Africa was relatively unexploited; there had been religious enslavement, the Arab Slave Trade, prior to the 16th century, but there was no culture of slavery in Africa, and no *chattel slavery*.

The English word *slave* comes from the Middle English *sclave* which originates in the Old French *esclave*, which can be found in the Medieval Latin *sclavus* and this term is related to the Greek *sklabos*, from *sklabenoi*, Slavs, of Slavic origin. Now this word *sklabenoi* is closely linked to the Old Russian *Slovene*. It is thought that the contemporary word *slave* is directly related to the Slavic people, many of whom were sold into slavery.

I think that I should point out that Europe also practiced indentureship and serfdom. Neither of these forms of service, one with a time period attached to it, and the other with land attached to it, could be compared to the chattel slavery of Africans.

Serfdom is not the same as slavery. Sometimes this is confused in the minds of the contemporary person. The current usage of the term chattel slavery is not synonymous with serfdom. They have a fundamental difference that brings me closer to my main point.

European serfs were considered to have rights because they were human beings. Enslaved Africans were people who had neither rights nor freedom of movement, and were not paid for their labor because they were seen as “things.” Aside from food and

shelter the enslaver had no responsibility to the enslaved, but would allow the enslaved no space to have responsibility for himself or herself.

Now let us turn the screws a little bit tighter on *chattel*. One reason I insist on speaking of the enslavement of Africans as *chattel slavery* rather than slavery is because in the English language it is possible to confuse a certain idea of servitude with slavery. An African who was enslaved had no personal or private rights and was expressly the property of another person to be held, used, or abused as the owner saw fit. Imagine the hell of this predicament and you are on the edge of the nightmare of chattel slavery.

Two events in the British occupied areas of the Caribbean and the Americas must be seen as contributing to the ideological foundation of chattel slavery. The first event was in Barbados and the second was in South Carolina. Slavery was established in Barbados in 1636 but it would take nearly thirty more years for the colonists to refine their legal basis. Indeed the Barbadian Slave Code of 1661 was the first code establishing the English legal base for slavery in the Caribbean. It was adopted by the American colony of South Carolina in 1696 introducing the basic guidelines for slavery in British North America. Ten years earlier in 1686 South Carolina had established a slave's position as freehold property which meant that such individual as property could not be moved or sold from the estate. This was similar to serfdom in medieval Europe. However, by the time South Carolina adopted the ideas of the Barbadian Slave Code the African had been degraded to chattel giving the enslaver absolute control and absolute ownership. Actually the South Carolina law meant that enslaved Africans, Native Americans, and mulattoes could be bought and sold like any property and the condition

of their children would also remain that of the enslaved. In a more refined ideological sense, chattel kept producing chattel, even when it was one human giving birth to another

Virginia had made its own law in 1662 creating the status of chattel for Africans providing that they were *slaves for life* and that their condition as slaves was transmitted to their posterity. Supposedly the slave status passed to descendants through the mother as in the Virginia 1662 statute that read as follows: “All children born in this country shall be held bond or free only according to the condition of the mother” (Hening, 1819, 3:252). However, the colony of Maryland provided in 1664 “That whatsoever free-born English woman shall intermarry with any slave shall serve the master of such slave during the life of her husband; and that all the issue of such free-born women, so married shall be slaves as their fathers were.” So in some cases the condition of the mother, if she were white and free-born, was changed to one of enslavement so that the children would continue to be enslaved. They would, of course, take the condition of the father and be chattel as well. I think what you can see is that a game was being played here. The enslavers knew that Africans were human and knew that a white could be married to an African or have children by an African woman, but to maintain the ideological subterfuge these situations had to be redefined inside of the slave code itself. A white woman could become by virtue of her marriage to a black man, black herself. However, a white man who had children by a black woman remained triumphantly white, although his children were chattel.

But where does this idea of ownership of a person begin?

The word “chattel” is akin to the word “cattle” and in fact both words share a common origin in Medieval Latin and Old French. The word *capital* comes from the same root.

Chattel Slavery means that one person has total ownership of another. There are two basic forms of chattel, *domestic chattel*, with menial household duties and *productive chattel*, working in the fields or mines. Those closest to the enslaver by virtue of space were the domestics and they were usually accorded a higher status in slave society. But to say higher status is not to say much when the idea of chattel slavery was that the human was not a human but a thing. I do not say that the human was dehumanized because I do not hold that such is possible, but what is possible is to reduce another person in your own mind to the level of a cow, dog, cat, or chair. This is the meaning of chattel. As you would not consult your dog, you would not consult a chattel slave. As you would not concern yourself with the comfort of a tool, a plough or a hammer, you would not concern yourself with an enslaved African’s comfort. What is chattel is not human in the mind of the enslaver. A chattel could not have protection under law although there were enough codes to regulate the use of the enslaved.

Laws were enacted to strip the enslaved of all protection of law. There was hardly any restraint on the enslaver’s will, lust, and physical force. If a white person murdered an enslaved person it was only a misdemeanor punishable by a small fine, sort of a nuisance tax. An enslaved person could only attack a white person in defense of his own enslaver’s life. Africans were executed for plotting their own freedom, for burning corn in the fields or stacks of rice or teaching reading and writing to another African.

The Negro Act of 1740 in South Carolina also established death for teaching another African “the knowledge of any poisonous root, plant, or herb.” Since Africans were chattel laws had to be passed to insist that Africans be dressed. Some enslavers refused to clothe the enslaved. This is one of the dubious achievements of the Barbadian Slave Code. Enslavers complained but they had to dress their slaves plus it was considered quite erotic to see well-developed young African men and women walking around in the nude. But if chattel had to be dressed, what kind of fabric had to be used. The law said that slaves could not dress “above the condition of slaves” and that their clothes could only be made from a list of coarse fabrics. Furthermore, since Africans were chattel there was no reason for them to assemble. Indeed, those Africans in violation of these provisions were subject to flogging.

Thus, Africans who had been brought to the slave colonies during the 16th century had uncertain legal status. Some were even considered indentured servants; others could own slaves themselves. However, by the middle of the 17th century Africans who entered the Caribbean and the Americas were firmly established as chattel property.

European capitalism and the European Slave Trade were the twin engines of world dominance from the late 1400s through the second half of the 20th century. The fact of the matter was that while labor was necessary for the sugar, tobacco, and cotton plantations, slave labor was unnecessary, except if one wanted to have excessive profits, greed without limits. In the process human beings from Africa were trampled under foot and called chattel, one more piece of property to go with the real estate, firearms, and textiles that became keys to the triangular trade. No wonder it was an accepted practice

for European sea captains on the way from Africa to the Americas to throw their human cargo overboard if they observed that they were low on food or potable water.

The British admiralty made the British Isles not only the master of the sea but also the master of the slave trade. One might reasonably argue that the Law of the Admiralty, often called Maritime Law, figured in the legal definitions used in the Barbadian Slave Code. There was some legitimacy or, at least, slave-owners assumed legitimacy when it came to their plantations in Barbados.

Since the Law of the Admiralty relates to events happening on the sea or in regard to the spoils of war, such as capture, rebellion or mutiny and property, those who landed their vessels in the Caribbean or in the Americas took the law into their own hands. In fact, I believe that the notion of command enforcement to maintain discipline on a ship was transferred to land.

There were two aspects to this law: (1) how to control the crew in the middle of the sea, and (2) how to control goods, prizes, property, real and personal. Of course, since we are talking about a landed situation in Barbados the idea of punishment was also included when it came to the enslaved Africans. We have rarely looked at chattel within the context of Maritime Law that involves navigation and commerce, and yet surely the Law of the Admiralty that obtained on the sea often spilled over to the land.

Defined as “things” we Africans had no rights either on the sea or on land; we were without any protection although the captains of the ships became essentially the masters of all they surveyed. When one thinks of the fact that, to a large degree,

Admiralty Law emerged out of the difficult conditions of sea-faring where the crew had no right to privacy, to trial by jury, or anything else considered rights, it is easy to see how this legacy from *Corpus Juris Civilis* of Justinian influenced the creation of rules, laws governing the treatment of Africans. Privileges existed by the will of the captain; there could be no rights under this type of jurisdiction. The only response to this type of situation by an aggrieved or group of aggrieved was to mutiny, that is, to rebel against the privileged position of the Captain. This was usually considered reason enough for execution if the mutiny failed. The history of rebellions of Africans in the Americas is long, bloody, and often heroic as in the cases of Yanga of Mexico, Nat Turner of the United States, Nanny of Jamaica, and Zumba of Brazil.

There are two implications of the *chattelization* of Africans: (1) the *invention* of the white race, and (2) the *commodification* of the African. In the first instance, out of a heterogeneous group of Europeans who did not claim to be of the same race, and as Smedley understood, did not perceive themselves in a common way, there was invented, Allen argued, a new reality, “the white race” (Smedley, 1999; Allen, 1997). What the slavers knew that they had in common was that they were not black. So long as they could not find any African in their ancestry they could become a part of this new creation, a formation of white people who were a reaction to the blackness of the enslaved Africans. This was an all-class formation, a white person could emerge from any class and be considered more privileged than a black from any class, even if one observed that the black, for example, was a descendant of African royalty.

But Africans were troublesome *chattel*, a fact that made a lie of the idea that we were not human and could not think. In many ways enslaved Africans assaulted the system of enslavement and sought to bring the system down.

Of course, in recent years what we have now seen is that whiteness has become a property in the same racist societies that gave us blacks as chattel property (Feagin, 1997). There is a great difference between the two forms of property, however. In the case of the property rights of whiteness one is speaking of privilege based on the acquisition of whiteness. In the United States there was a time when only English, German, and Scandinavian were whites. Over the centuries Italians, Irish, Hungarians, Jews, and Turks have become white, meaning essentially that they have participated in the privilege structure of a racist society.

On the other hand, the *commodification* of Africans established a pattern that would become the fundamental method of transferring wealth in a capitalist society. Who could accumulate wealth by dispossessing Africans? The whites could do it because they had acquired the privilege of whiteness regardless of their origins by virtue of the chattelization of Africans. Thus, accumulation by dispossession became one of the principal ways Africans in the United States were systematically constrained and restrained, economically, socially, and psychologically.

Vast wealth from the European Slave Trade fueled the British economy at the same time that Africans were being reduced to things. A commodity could have no rights, no feeling, no sentiments, no religion, and no thoughts. While it is good and decent that this year Britain celebrates the bicentennial of the British abolition of the slave trade by

marking the end of slavery with stamps, exhibitions, speeches, and memorial services, one still asks, if slavery was wrong, irreligious, and immoral in 1807, why not in 1707 or 1657?

One cannot truly see the value of abolition without discovering what it was that was abolished. *Prior to 1807 the British Parliament passed numerous laws and regulations to encourage and support the trade in human beings.* Yes, of course, one could argue that this was before the giants of abolition really transformed public opinion. Nevertheless, one cannot forget, even if one wanted to, that here in Liverpool the economy thrived on the building of slave ships and the transport of Africans from the continent to the Americas. Nothing is more authentic at this moment than the recognition that a great wrong was done and that Liverpool stood in the center of the chaos. However, today with the new museum dedicated to telling the story of slavery Liverpool has leaped ahead of other cities in dealing with its troublesome past. By doing so, the people of this city and this region have gone a long way toward repairing the damage that was done by the busy slavers (Asante, 2003). Forward Ever! Backwards Never!

Further Readings

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